United Water CONSERVATION DISTRICT



# AGENDA
# REGULAR BOARD MEETING
## Wednesday, September 8, 2021, 12:00 P.M.
## Board Room, UWCD Headquarters
## 1701 N. Lombard Street, Oxnard CA 93030

Meeting attendees should be aware that the meetings of the Board are, as required by law, open to the public and the District has very limited powers to regulate who attends Board meetings. Therefore, attendees must exercise their own judgement with respect to protecting themselves from exposure to COVID-19, as the District cannot ensure that all attendees at public meetings will be free from COVID-19.

To participate in the meeting virtually, please click on this link:
https://unitedwaterconservationdistrict.my.webex.com/unitedwaterconservationdistrict.my/j.php?MTID=m4acf9b4da85e554ca5edce6681d46e70

Meeting Number: 2553 982 8660 Meeting Password: 20210908

Tap to join from a mobile device: +1-408-418-9388,,25539828660#20210908# (toll rates may apply)
Some mobile devices may ask attendees to enter a numeric meeting password

To join by phone (audio only): 1 408 418 9388 (toll rates may apply)

***BOARD MATTERS***

***Normally, Action (Motion) Items will be considered and acted upon separately; Consent Items will be considered and acted upon collectively, although a Consent Item may be considered and acted upon separately; and Information Items will be considered separately without action. The Board of Directors in its discretion may change the order of agenda items.***

## 1. FIRST OPEN SESSION 12:00 P.M.

Items to be discussed in Executive (Closed) Session will be announced.

### 1.1 Public Comments

**Information Item**

Members of the public may address the Board on any matter on the Closed Session agenda or on any non-agenda item within the jurisdiction of the Board. All comments are subject to a five-minute time limit.

### 1.2 EXECUTIVE (CLOSED) SESSION 12:05 P.M.

The Board will discuss matters outlined in the attached Executive (Closed) Session Agenda (Exhibit A).

## 2. SECOND OPEN SESSION AND CALL TO ORDER 1:00 P.M.

### 2.1 Pledge of Allegiance

**2.2 Public Comment**
**Information Item**
Members of the public may address the Board on any item on the Consent Calendar or on any non-agenda item within the jurisdiction of the Board. No action will be taken by the Board on any non-agenda item. All comments are subject to a five-minute time limit.

**2.3 Approval of Agenda**
**Motion**

**2.4 Oral Report Regarding Executive (Closed) Session**
**Information Item**
Presented by District Legal Counsel David D. Boyer.

**2.5 Board Members' Activities Report**
**Information Item**
The Board will receive and file information regarding meeting participation provided by each of the Board Members through Monthly Activities (aka per diem) Reports.

**2.6 General Manager's Report**
**Information Item**
The General Manager will present information on his activities of possible interest to the Board and that may have consequence to the District.

**2.7 Election of Association of California Water Agencies (ACWA) Region 5 Chair, Vice Chair and Board Members for the 2022-2023 Term**
**Motion**
The Board will consider casting United Water Conservation District's one vote for the Region 5 Nominating Committee's recommended slate of candidates or in support of individual candidates running for the Region 5 Board for the 2022-2023 term before the September 30, 2021 deadline.

**3. CONSENT CALENDAR: All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)**

**A. Approval of Minutes**
**Motion**
Approval of the Minutes for the Regular Board Meeting of July 14, 2021 and Minutes from the Special Board Meeting of August 30, 2021.

**B. Groundwater Basin Status Reports**
**Information Item**
Receive and file Monthly Hydrologic Conditions Report for the District.

**C. Monthly Investment Reports**
**Information Item**
Receive and file report on the District's investments and the availability or restriction of these funds. All investments are in compliance with the District's investment policy, which is reviewed and approved annually by the Board.

## 4. MOTION ITEMS (By Department)

**Environmental Services Department – Linda Purpus**

**4.1 Resolution 2021-17 Approving the California Environmental Quality Act (CEQA) Initial Study-Mitigated Negative Declaration (IS-MND) and issuance of the Notice of Determination (NOD) for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project**
**Motion**
The Board will consider approving Resolution 2021-17, a resolution of the United Water Conservation District approving and adopting the Initial Study-Mitigated Negative Declaration (IS-MND) and accompanying Mitigation Monitoring and Reporting Program (MMRP), approving the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (Project) and authorizing its implementation by the General Manager; and directing the General Manager to file a Notice of Determination in accordance with CEQA.

**Engineering Department – Dr. Maryam Bral**

**4.2 Geotechnical Investigation at the Freeman Diversion Contract Award to GEI Consultants, Inc.**
**Motion**
The Board will consider awarding a consulting engineering contract to GEI Consultants, Inc. in the amount of $499,724 (includes 9% contingency or $41,403 to be used upon the District's written authorization only) and authorize the General Manager to execute the contract with GEI Consultants, Inc. for the Geotechnical Investigation at the Freeman Diversion.

**4.3 Authorize Execution of an Agreement with California American Water to Establish an Emergency Use Interconnection to the Oxnard Hueneme Pipeline for providing additional System Reliability to the El Rio Service Area.**
**Motion**
The Board will consider authorizing the General Manager to execute an agreement with California American Water to establish an emergency use interconnection to the Oxnard Hueneme Pipeline for providing additional System Reliability to the El Rio Service Area.

## 5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

**Operations and Maintenance Department – Brian Collins**

**5.1 Monthly Operation and Maintenance Department Report**

**Information Item**

The Board will receive a staff report and presentation on monthly activities of the Operations and Maintenance Department, including but not limited to the District's facilities (Santa Felicia Dam and hydroplant; the Piru Groundwater Recharge facility; the Freeman Diversion Dam; the Saticoy and El Rio Groundwater Recharge facilities; the Pleasant Valley and Pumping Trough Pipeline systems; and the Oxnard Hueneme Pipeline system), encompassing operating plans, the quantity and quality of water diverted and delivered, fish ladder operations, major maintenance problems and repairs, status of Operations and Maintenance projects and safety and training issues.

**Park and Recreation Department – Clayton Strahan**

**5.2 Monthly Park and Recreation Department Report**

**Information Item**

The Board will receive a staff report and presentation on monthly activities of the Park and Recreation Department, including but not limited to the Lake Piru Recreation Area, encompassing camping and boating policies at the lake; operations and activities; financing and status of facility improvement projects; maintenance activities; security issues; and emergency response activities.

**Water Resources Department – Dr. Maryam Bral**

**5.3 Monthly Water Resources Department Report**

**Information Item**

The Board will receive a staff report and presentation on the monthly activities of the Water Resources Department including but not limited to updates to the Ventura Regional Groundwater Flow Model; brackish water treatment feasibility study; upper Santa Clara River Chloride TMDL; hydrologic and well conditions statewide and locally; available Forebay storage; Ventura County well ordinance update; Fox Canyon GMA issues; City of Oxnard's recycled water program; potential water supply and recycled water projects, including use of United's terminal reservoirs; and various user groups (including but not limited to Oxnard Plain and Pumping Trough Pipeline groups).

**5.4 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)**

**Information Item**

The Board will receive a staff report and presentation on the monthly activities of the three local Groundwater Sustainability Agencies (Mound Basin GSA, Fillmore and Piru Basins GSA, and the Fox Canyon Groundwater Management Agency), for which the District serves as a member director, and the Santa Paula basin (adjudicated) Technical Advisory Committee (including formation of groundwater

sustainability agencies in the District's basins, stakeholder and basin user groups, joint powers or governance agreements, development of water markets, and potential basin boundary changes). Staff may also report on state-wide issues related to the implementation of the Sustainable Groundwater Management Act of 2014.

**Administrative Services Department – Joseph Jereb and Josh Perez**

**5.5 Monthly Administrative Services Department Report – Anthony Emmert**

**Information Item**

The Board will receive and file a summary report on the monthly activities of the Administration Department including but not limited to issues associated with budget development, financial performance versus budget plan, financial accounting requirements and procedures, potential debt issuance and related financial services, status of District investments and reserves, updates on its capital improvement programs, human resources and safety, District property and facilities maintenance and administration, District records and reports, groundwater extraction statements administration, risk management and District liability insurance matters, management of District contracts, policy development, governance procedures, and supporting activities of Board and staff.

**Engineering Department – Dr. Maryam Bral**

**5.6 Monthly Engineering Department Report**

**Information Item**

The Board will receive and file a summary report on the various monthly activities of the Engineering Department, including but not limited to water resources, planning efforts and department programs impacting the District, such as project design and construction; dam safety; FERC license compliance; Freeman Diversion; recycled water; pipeline operations and various engineering analysis.

**Environmental Services Department – Linda Purpus**

**5.7 Monthly Environmental Services Department Report**

**Information Item**

The Board will receive and file a summary report on the various monthly activities of the Environmental Services Department, including but not limited to environmental and regulatory issues of note to the District, water releases, operations of the fish ladder at the Freeman Diversion, various monitoring efforts, study plans and issues associated with the Endangered Species Act, including the Section 10 MSHCP process, future fish passage requirements, compliance with the District's FERC license/Biological Opinion, the Santa Felicia Dam, studies and operations in and near Piru Creek, any interactions with Rancho Temescal and Rancho Camulos.

## 6. BOARD OF DIRECTORS READING FILE

## 7. FUTURE AGENDA ITEMS

## 8. ADJOURNMENT

The Board will adjourn to the **Regular Board Meeting scheduled for Wednesday, October 13, 2021** or call of the President.

*All testimony given before the Board of Directors is recorded.*
*Materials, which are non-exempt public records and are provided to the Board of Directors to be used in consideration of the above agenda items, including any documents provided subsequent to the publishing of this agenda, are available for inspection at the District's offices at 1701 N. Lombard Street, Suite 200, Oxnard CA 93030 during normal business hours.*
*The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's services, programs or activities because of any disability. If you need special assistance to participate in this meeting, or if you require agenda materials in an alternative format, please contact the District Office at (805) 525-4431. Notification of at least 48 hours prior to the meeting will enable the District to make appropriate arrangements.*

**Approved:** _____
**Mauricio E. Guardado, Jr. – General Manager**

**Posted: (date) September 2, 2021 (time) 3:45p.m. (attest) *Kris Sofley***
**At: United Water Conservation District Headquarters, 1701 N. Lombard Street, Oxnard CA 93030**

**Posted: (date) September 2, 2021 (time) 4:00p.m. (attest) *Kris Sofley***
**At: www.unitedwater.org**

**EXHIBIT A**
**EXECUTIVE (CLOSED) SESSION AGENDA**

**1. LITIGATION**

**1.1 Conference with Legal Counsel-Anticipated Litigation**
Pursuant to Government Code Section 54956.9(d)(2), two (2) cases.

**1.2 Conference with Legal Counsel – Existing Litigation**
Pursuant to Government Code Section 54956.9 (d)(1)

**A**. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara County Superior Court Case No. VENCI00401714

**B**. City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara Superior Court Case No. 1414739 (consolidated for purposes of trial with case in subsection A.)

Note: 1.2 A and B consolidated in the California Supreme Court, 2nd Civil No. S226036, Review granted on June 24, 2015 of published decision of Division Six, Second District of the Court of Appeal of the State of California, 2d Civil No. B251810.

**C.** City of San Buenaventura v. United Water Conservation District, et al, Santa Barbara County Superior Court Case No. 1467531

**D.** Wishtoyo Foundation, et al v. United Water Conservation District, U.S. District Court for the Central District of California, Case No.2:16-cv-03869 GHK (PLAx)

**E.** Josey Hollis Dorsey, a minor, through his guardian ad litem Ryan Dorsey; and The Estate of Naya Rivera, through its personal representative, Justin Stiegemeyer, v. County of Ventura, a California public entity; United Water Conservation District, a California public entity; and Parks and Recreation Management, d/b/a Parks Management Company, a California corporation; and Does 1-20, inclusive, Superior Court of the State of California for the County of Ventura Case No. 56-2020-00547077-CU-PO-VTA

**F**. OPV Coalition v Fox Canyon Groundwater Management Agency, Superior Court of the State of California, County of Ventura, Case No (none listed) Complaint for Comprehensive Groundwater Adjudication of the Oxnard Groundwater Subbasin (No. 4-004.02) and Pleasant Valley Subbasin (No. 4-006) Pursuant to Sections 830, *Et Seq*. of the Code of Civil Procedure; Declaratory Relief; Quiet Title; and Petition for Writs of Mandate

United Water
CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Kris Sofley, Clerk of the Board

**Date:** **August 18, 2021 (September 8, 2021 Meeting)**

**Agenda Item:** **2.5 Board Members' Activities Reports**
**Information Item**

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**Staff Recommendation:**
The Board will receive and file information regarding meeting participation provided by each of the Board of Directors through Monthly Activities (aka per diem) Reports.

**Discussion:**
This item is provided on the agenda of each regular District Board of Directors meeting in order to allow Directors to report on non-agenda activities such as:

1. UWCD Committee participation – Committee Chair to report on Committee's objectives and actions to Board.
2. Meetings, workshops, conferences and functions attended during the previous month on behalf of the District.
3. Possible conflicts that Directors might have with respect to issues on the Agenda.

Attachments: A – Directors' Monthly Activities Reports (per diem)
B - 2021 Calendar of District's Standing Committee and Outside Agency meetings
C - 2021 AWA VC Meeting and Events Calendar

**Board of Directors** Due on last day of month

**Activities and Expenses for Month** 8 **Year** 21

Director: Mohammed A. Hasan, P.E.

| **1. UWCD Board Meetings**<br>Regular, special or emergency meetings. | | **Date** | **Mileage** |
|---|---|---|---|
| | | 8-30 | 12 |
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| **2. UWCD Committee/Advisory Body Meetings**<br>Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees. | **Committee Name & Location** | **Date** | **Mileage** |
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| **3. Meeting with GM or District Legal Counsel (LC)** | **W/ GM or LC** | **Meeting Description & Location** | **Date** | **Mileage** |
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| **4. Conferences/Trainings.** Includes conferences or educational activities organized by ACWA, AWAVC & CSDA. | **Event Name & Location** | **Date** | **Mileage** |
|---|---|---|---|
| | Dr. Mathis | 8-9 | 0 |
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| **5. Appointed representative to meetings of other entities' Boards.** Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings. | **Entity Name & Location** | **Date** | **Mileage** |
|---|---|---|---|
| | Meeting with Oxnard CM and DCM | 8-2 | 9 |
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| **6. Meetings of other government entities at request of BoD, BP or GM.** Such as PVCWD, FCGMA or Oxnard City Council. | **Entity Name & Location** | **Date** | **Mileage** |
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| **7. Meetings with board members or executive management of other agencies.** Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA. | **Entity Name & Location** | **Date** | **Mileage** |
|---|---|---|---|
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| **8. Public meetings hosted by District regarding District matters**<br>Such as Section 10 HCP, Vern Freeman Fish Panel. | **Meeting Description & Location** | **Date** | **Mileage** |
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**Board of Directors** Due on last day of month

**Per Diem and Expenses for Month** 8 **Year** 21

| **9. Meetings with state or federal legislators or officials or representatives from other entities.**<br><br>At the request of the BoD, BP or GM. | **Official Name/Meeting Description & Location** | **Date** | **Mileage** |
|---|---|---|---|
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| **Other Expenses** | **Total** |
|---|---|
| Days of out of town travel | |
| Lodging* | $ |
| Meals* | $ |
| Transportation* | $ |
| Misc.* | $ |

* attach all receipts

| **This section to be completed by Finance Department only** | | | |
|---|---|---|---|
| Phone Allowance | | | $50.00 |
| Total # of meetings** | 3 | x $237./per month | $ 711.00 |
| **not to exceed 10 meetings and $2,260. per month or 1 meeting per day | | | |
| Total days of travel | | x $100.00/day | |
| Total # of miles | 21 | x $0.56/mile | $ 11.76 |
| Total other expenses | | | $ |
| **TOTAL MILEAGE AND OTHER EXPENSES** | | | $ 772.76 |

Director Signature _____ Date: 8/31/21

General Manager Signature _____ Date: _____

Definitions
BoD: Board of Directors
BP: Board President
GM: General Manager

**Board of Directors** Due on last day of month

**Activities and Expenses for Month** August **Year** 2021

Director: Daniel Naumann

| | | | |
|---|---|---|---|
| **1. UWCD Board Meetings**<br>Regular, special or emergency meetings. | | **Date** | **Mileage** |
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| **2. UWCD Committee/Advisory Body Meetings**<br>Environmental, Executive, Finance/Audit, Groundwater, Operations, Planning, Recreation and RiverPark JPA Committees. | **Committee Name & Location** | **Date** | **Mileage** |
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|---|---|---|---|---|
| **3. Meeting with GM or District Legal Counsel (LC)** | **W/ GM or LC** | **Meeting Description & Location** | **Date** | **Mileage** |
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|---|---|---|---|
| **4. Conferences/Trainings.** Includes conferences or educational activities organized by ACWA, AWAVC & CSDA. | **Event Name & Location** | **Date** | **Mileage** |
| | ACWA Region 5 Virtual Meeting | 19 | 12 |
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|---|---|---|---|
| **5. <u>Appointed representative</u> to meetings of other entities' Boards.** Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA and GSA. Or preparatory meetings with GM regarding above meetings. | **Entity Name & Location** | **Date** | **Mileage** |
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| **6. Meetings of other government entities at request of BoD, BP or GM.** Such as PVCWD, FCGMA or Oxnard City Council. | **Entity Name & Location** | **Date** | **Mileage** |
| | VCSDA Meeting @ District HQ | 3 | n/a |
| | Meeting with Director Dandy and Supervisor Carmen Ramirez | 9 | 24 |
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| **7. Meetings with board members or executive management of other agencies.** Includes FCGMA, LAFCO, RiverPark JPA, AWAVC BoD, Oxnard Chamber of Commerce Water Committee, ACWA, CSDA, GSA. | **Entity Name & Location** | **Date** | **Mileage** |
| | Tony Trembley FCGMA (Camarillo) | 3 | 12.6 |
| | Gene West (2088) | 5 | 16.8 |
| | Tom Vujovich | 27 | 2 |
| | | | |
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|---|---|---|---|
| **8. Public meetings hosted by District regarding District matters**<br>Such as Section 10 HCP, Vern Freeman Fish Panel. | **Meeting Description & Location** | **Date** | **Mileage** |
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**Board of Directors** Due on last day of month

**Per Diem and Expenses for Month** August **Year** 2021

| | Official Name/Meeting Description & Location | Date | Mileage | |
|---|---|---|---|---|
| **9. Meetings with state or federal legislators or officials or representatives from other entities.** | Meeting with President Mobley & Greg Lewis | 9 | 12 | NA |
| | Military Appreciation Annual Mixer (CI Harbor) | 19 | 16 | NA |
| At the request of the BoD, BP or GM. | | | | |
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| Other Expenses | Total |
|---|---|
| Days of out of town travel | |
| Lodging* | $ |
| Meals* | $ |
| Transportation* | $ |
| Misc.* | $ |

* attach all receipts

| This section to be completed by Finance Department only | | | |
|---|---|---|---|
| Phone Allowance | | | $50.00 |
| Total # of meetings** | 5 | x $237./per month | $ 1,185. |
| **not to exceed 10 meetings and $2,260. per month or 1 meeting per day | | | |
| Total days of travel | | x $100.00/day | |
| Total # of miles | 66.8 | x $0.56/mile | $ 37.41 |
| Total other expenses | | | $ |
| **TOTAL MILEAGE AND OTHER EXPENSES** | | | $ 1,272.41 |

Director Signature Date: 8-30-21

General Manager Signature Date: 9/1/21

Definitions
BoD: Board of Directors
BP: Board President
GM: General Manager

United Water
CONSERVATION DISTRICT

**2021 UWCD Standing Committee and Outside Agencies Meeting Dates**

**JANUARY**: 04 - Legislative and Outreach (9am-10:15am)
05- Water Resources (9am-11:15am)
06- Recreation (9am-9:48am)
07- Engineering and Operations (9am-10:05am)
12- Finance and Audit (9:04am-10:08am)
13- Board Meeting (12noon-4:55pm)
20- CoLAB VC WHEEL (1pm)
21- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
27- Fox Canyon GMA (1:30pm)
**FEBRUARY**: 02- Water Resources (9am-10:13am)
03- Recreation (9am-9:34am)
04- Engineering and Operations (9am-9:48am)
09- Finance and Audit (9am-9:52am)
10- Board Meeting (12noon-3:08pm)
17- CoLAB VC WHEEL (1pm)
18- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
24- Fox Canyon GMA (1:30pm)
**MARCH**: 02- Water Resources (canceled)
03- Recreation (9am-9:34am)
04- Engineering and Operations (9:04am-10:03am)
09- Finance and Audit (9am-10:03am)
10- Board Meeting (12noon-3:10pm)
17- CoLAB VC WHEEL (1pm)
18- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
24- Fox Canyon GMA (1:30pm)
**APRIL**: 01- Engineering and Operations (canceled)
05- Legislative and Outreach (canceled)
07- Recreation (9am-10:03am)
12- Water Resources (11am-12:50pm)
13- Finance and Audit (9am-10:07am)
14- Board Meeting (12noon-3:50pm)
21- CoLAB VC WHEEL (1pm)
22- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
28- Fox Canyon GMA (1:30pm)
**MAY**: 04 - Water Resources (canceled)
05- Recreation (9am-9:37am)
06- Engineering and Operations (9am-10:03am)
11- Finance and Audit (9am-11:03am)
12- Board Meeting (12noon-3:56pm)
19- CoLAB VC WHEEL (1pm)
20- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
26- Fox Canyon GMA (1:30pm)
**JUNE**: 01 - Water Resources (9am-11:03am)
02- Recreation (canceled)
03- Engineering and Operations (canceled)
08- Finance and Audit (9am-9:42am)
09- Board Meeting (12noon-3:53pm)
16- CoLAB VC WHEEL (1pm)
17- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)

**JUNE, continued**: 23- Fox Canyon GMA (1:30pm)
24- Special Board Meeting (9am-10:26am)
**JULY**: 01 - Engineering and Operations (9am-11:06am)
05- Legislative and Outreach (canceled)
07- Recreation (canceled)
08- Water Resources (9am-10:52am)
13- Finance and Audit (9am-10:49am)
14- Board Meeting (12noon-2:42pm)
21- CoLAB VC WHEEL (1pm)
22- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
28- Fox Canyon GMA (1:30pm)
**AUGUST –** 18- CoLAB VC WHEEL (1pm)
19- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
25- Fox Canyon GMA (1:30pm)
30- Special Board Meeting (1pm-2pm)
31- Water Resources (9am)*
**SEPTEMBER**: 01- Recreation (9am)
02- Engineering and Operations (9am)
07- Finance and Audit (9am)
08- Board Meeting (12noon)
15- CoLAB VC WHEEL (1pm)
16- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
22- Fox Canyon GMA (1:30pm)
**OCTOBER**: 04 - Legislative and Outreach (9am)
05- Water Resources (9am)
06- Recreation (9am)
07- Engineering and Operations (9am)
12- Finance and Audit (9am)
13- Board Meeting (12noon)
20- CoLAB VC WHEEL (1pm)
21- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
27- Fox Canyon GMA (1:30pm)
**NOVEMBER**: 02 - Water Resources (9am)
03- Recreation (9am)
04- Engineering and Operations (9am)
09- Finance and Audit (9am)
10- Board Meeting (12noon)
17- CoLAB VC WHEEL (1pm)
18- Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)
30- Water Resources (9am)*
**DECEMBER:** 01- Recreation (9am)
01- Fox Canyon GMA (1:30pm)
02- Engineering and Operations (9am)
07- Finance and Audit (9am)
08- Board Meeting (12noon)
15- CoLAB VC WHEEL (1pm)
16 -Mound Basin GSA (1pm)
Fillmore and Piru Basin GSA (5pm)

*scheduled to prevent dual meetings on the same day

# ASSOCIATION OF WATER AGENCIES OF VENTURA COUNTY

## 2021 CALENDAR OF EVENTS

ALL DATES ARE SUBJECT TO CHANGE

**All meetings/events are confirmed by AWA via official notices sent prior to each meeting/event.**
**Note: All 2021 meetings/events will be via video-broadcast until further notice.**

| | | | | |
|---|---|---|---|---|
| **JANUARY** | 7 | Board Meeting | 3:00 pm, Thursday | |
| | 19 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **21** | **WaterWise Program** | **8:00 am, Thursday** | |
| | 27 | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **FEBRUARY** | 4 | Executive Committee Meeting | 3:00 pm, Thursday | |
| | 16 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **18** | **WaterWise Program** | **8:00 am, Thursday** | |
| | **24** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **MARCH** | 4 | Board Meeting (Annual Meeting-Elections) | 3:00 pm, Thursday | |
| | 16 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **18** | **WaterWise Program (Installation/Directors)** | **8:00 am, Thursday** | |
| | **24** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **APRIL** | 1 | Executive Committee Meeting | 3:00 pm, Thursday | |
| | **15** | **WaterWise Program** | **8:00 am, Thursday** | |
| | 20 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **28** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **MAY** | 6 | Board Meeting | 3:00 pm, Thursday | |
| | 18 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **20** | **WaterWise Program** | **8:00 am, Thursday** | |
| | **26** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **JUNE** | 3 | Executive Committee Meeting | 3:00 pm, Thursday | |
| | 15 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **17** | **WaterWise Program** | **8:00 am, Thursday** | |
| | **23** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| ***Date to be Confirmed*** | __ | **CC/Water Systems Workshop (Confined Space)** | **8-Noon** | (Fire Dept-Camarillo) |
| **JULY** | 1 | Board Meeting | 3:00 pm, Thursday | |
| | **15** | **WaterWise Program** | **8:00 am, Thursday** | |
| | 20 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **28** | **Channel Counties/Water Systems** | **8:00 am, Wednesday** | |
| **AUGUST** | | **DARK** | | |
| **SEPTEMBER** | **2** | Board Meeting | 3:00 pm, Thursday | |
| | 21 | Water Issues Committee | 8:00 am, Tuesday | (AWA Members Only) |
| | **22** | **Channel Counties/Water Systems Luncheon** | **8:00 am, Wednesday** | |
| ***Date to be Confirmed*** | | **Math Workshop: Water Distribution Exam Review** | **8:00am–Noon** | |
| ***Date to be Confirmed*** | ***30** | **Reception for Members/Elected Officials** | **4:00 pm, Thursday** | (AWA Members/Guests Only) |
| **OCTOBER** | 7 | Executive Committee Meeting | 3:00 pm, Thursday | |
| ***Date to be Confirmed*** | ***21** | **Annual Water Symposium & Exposition** | **7:00am–1:00pm, Thurs.** | **Courtyard – Oxnard** |
| ***Date to be Confirmed*** | ***21** | **Operators Tech Workshop & Exposition** | **7:00 am-3:30pm, Thurs.** | **Courtyard – Oxnard** |
| ***Date to be Confirmed*** | __ | **Math Workshop: Water Treatment Exam Review** | **8:00am–Noon** | |
| **NOVEMBER** | 4 | Board Meeting | 3:00 pm, Thursday | |
| ***Date to be Confirmed*** | __ | **Annual VC Water Supply Bus Tour** | **8:00 am** | |
| | 16 | Water Issues Committee | 7:00 am, Tuesday | (AWA Members Only) |
| | ***17** | **Channel Counties/Water Systems Lunch** | **8:00 am, Wednesday** | |
| | **18** | **WaterWise Breakfast Program** | **8:00 am, Thursday** | |
| **DECEMBER** | *09 | Executive Committee Meeting | 3:00 pm, Thursday | |
| | **09** | **Holiday Mixer/Corporate Night** | **4:00 pm, Thursday** | (AWA Members/Guests Only) |

***Indicates change from typical event date**

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United Water CONSERVATION DISTRICT

**Staff Report UWCD**

**To:** **Board of Directors**

**From:** Mauricio E. Guardado, Jr., General Manager

**Date:** **August 19, 2021 (September 8, 2021 meeting)**

**Agenda Item:** **2.6 General Manager's Report**
**Information Item**

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**Staff Recommendation:**
Receive an update from the General Manager related to items of possible interest to the Board and that may have consequences to the District.

**Discussion:**
The General Manager's primary responsibility is to ensure that the policies and directions of the Board of Directors are adhered to as he oversees and manages the efforts of the department managers and their staff in the day-to-day operation and administration of the District. All of these efforts are to be consistent with the District's Mission Statement and within the fiscal constraints set by the Board of Directors.

The District's managers provide detailed monthly updates to the Board of Directors which outline projects' statuses, accomplishments, issues of concern, projects planning, etc. The monthly General Manager's report provides an opportunity for the General Manager to discuss issues that may impact the efforts of the separate departments as they pursue their defined goals and objectives. The report also provides the Board with information on the District's efforts and involvement in local, regional and state-wide issues.

Finally, the monthly General Manager's report offers the Board of Directors an overview of how their policies and directions are being administered through discussion of the work plan and efforts of the General Manager.

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Kris Sofley, Clerk of the Board

**Date:** **August 5, 2021 (September 8, 2021 meeting)**

**Agenda Item:** **2.7 Election of Association of California Water Agencies (ACWA) Region 5 Chair, Vice Chair and Board Members for the 2022-2023 Term**
**Motion**

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**Staff Recommendation:**
The Board will consider casting United Water Conservation District's one vote for the Region 5 Nominating Committee's recommended slate of candidates or in support of individual candidates running for the Region 5 Board for the 2022-2023 term before the September 30, 2021 deadline.

**Background:**
Every two years, ACWA Region 5 members are asked to elect a chair, vice chair and board members who will represent and serve the members of Region 5 for the following two year term. ACWA's Region 5 Nominating Committee provides a recommended slate from the eligible candidates, or the Board may decide to vote for individual candidates also running for the Region 5 Board.

Region 5 Board members are elected to represent the issues, concerns and needs of the District's region. The Region 5 chair and vice chair will serve on ACWA's Board of Directors for the next two-year term beginning January 1, 2022. Additionally, the newly elected chair and vice chair will make the Region 5 committee appointment recommendations to the ACWA president for the 2022-2023 term. Also, either the chair or vice chair will hold a seat on the ACWA Finance Committee.

The list of both the recommended slate of candidates and individual candidates is provided as an attachment to this staff report. The Board will review and consider whether to cast its vote for the slate as recommended by the Region 5 Nominating Committee **or** cast its vote for an individual Region 5 chair, vice chair and three to five board members.

**Fiscal Impact:**
There is no fiscal impact for this motion.

Attachment: A – ACWA Region 5 Board Candidates List for the 2022-2023 Term

OFFICIAL

# REGION 5 **Board Ballot**

2022-2023 TERM

ACWA
Association of California Water Agencies

**Please return completed ballot by Sept. 30, 2021**

E-mail: regionelections@acwa.com
Mail: ACWA
980 9th Street, Suite 1000
Sacramento, CA 95814

## General Voting Instructions:

1. You may either vote for the slate recommended by the Region 5 Nominating Committee or vote for individual region board members. Please mark the appropriate box to indicate your decision.

2. Please complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

CLEAR FORM

1

## Nominating Committee's Recommended Slate

☐ I concur with the Region 5 Nominating Committee's recommended slate below.

**CHAIR: John L. Varela**, Director, Santa Clara Valley Water District

**VICE CHAIR: Jack Burgett**, Vice President, Board of Directors, North Coast County Water District

**BOARD MEMBERS:**

- **Ernesto A. Avila**, Board Vice President, Contra Costa Water District
- **Mary Bannister**, Director, Pajaro Valley Water Management Agency
- **Sarah Palmer**, Director, Zone 7 Water Agency
- **Katherine A. Stewart**, Director/Board President, Vandenberg Village Community Services District
- **Floyd Wicks**, Director, Montecito Water District

OR

## Individual Board Candidate Nominations

☐ I do not concur with the Region 5 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

**CANDIDATES FOR CHAIR: (CHOOSE ONE)**

- ☐ **Sarah Palmer**, Director, Zone 7 Water Agency
- ☐ **Katherine A. Stewart**, Director/Board President, Vandenberg Village Community SD
- ☐ **John H. Weed**, Director, Alameda County Water District
- ☐ **John L. Varela**, Director, Santa Clara Valley Water District

**CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)**

- ☐ **Ernesto A. Avila**, Board Vice President, Contra Costa Water District
- ☐ **Mary Bannister**, Director, Pajaro Valley Water Management Agency
- ☐ **Jack Burgett**, Vice President, Board of Directors, North Coast County Water District
- ☐ **Katherine A. Stewart**, Director/Board President, Vandenberg Village Community SD
- ☐ **John H. Weed**, Director, Alameda County Water District

**CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)**

- ☐ **Ernesto A. Avila**, Board Vice President, Contra Costa Water District
- ☐ **Mary Bannister**, Director, Pajaro Valley Water Management Agency
- ☐ **Jack Burgett**, Vice President, Board of Directors, North Coast County Water District
- ☐ **Sarah Palmer**, Director, Zone 7 Water Agency
- ☐ **Paul Seger**, Director/Board President, Diablo Water District
- ☐ **Katherine A. Stewart**, Director/Board President, Vandenberg Village Community SD
- ☐ **John H. Weed**, Director, Alameda County Water District
- ☐ **Floyd Wicks**, Director, Montecito Water District

2

AGENCY NAME

AUTHORIZED REPRESENTATIVE

DATE

# MINUTES
# REGULAR BOARD MEETING

**Wednesday, July 14, 2021, 12:00 P.M.**
**Board Room, UWCD Headquarters**
**1701 N. Lombard Street, Oxnard CA 93030**

## Board Members Present
Michael W. Mobley, president
Bruce E. Dandy, vice president
Sheldon G. Berger, secretary/treasurer
Mohammed A. Hasan
Lynn E. Maulhardt
Edwin T. McFadden, III
Daniel C. Naumann

## Staff Present
Mauricio E. Guardado, Jr., general manager
David D. Boyer, legal counsel
Dr. Maryam Bral, chief engineer
Brian Collins, chief operations officer
Dan Detmer, supervising hydrogeologist
Anthony Emmert, assistant general manager
Joseph Jereb, chief financial officer
Josh Perez, human resources manager
Zachary Plummer, IT administrator
Linda Purpus, environmental services manager
Robert Richardson, senior engineer
Kris Sofley, executive assistant/clerk of the board

## Public Present
Jennifer Tribo, Ventura Water

## 1. FIRST OPEN SESSION 12:01 P.M.

President Mobley called the meeting to order at 12noon and asked the District's Legal Counsel David Boyer to announce what the Board will discuss in Executive (Closed) Session.

Mr. Boyer said the Board, pursuant to Government Code Section 54956.9(d)(2), would be discussing one case of anticipated litigation and, pursuant to Government Code Section 54956.9(d)(1), would be discussing six cases of existing litigation, including three cases with the City of San Buenaventura, one case with Wishtoyo Foundation, one case brought by the Dorsey family regarding the drowning death of Naya Rivera, and one case regarding the OPV Coalition v Fox Canyon Groundwater Management Agency.

**1.1 Public Comments**
**Information Item**
President Mobley asked if there were any public comments at this time; none were offered.

**1.2 EXECUTIVE (CLOSED) SESSION 12:02 P.M.**
President Mobley adjourned the meeting into Executive (Closed) session at 12:02p.m.

## 2. SECOND OPEN SESSION AND CALL TO ORDER 1:04 P.M.

President Mobley called the Second Open Session of the Board meeting to order at 1:04 p.m. and asked Director Hasan to lead everyone in the Pledge of Allegiance.

**2.1 Pledge of Allegiance**
Director Hasan led everyone in reciting the Pledge of Allegiance.

**2.2 Public Comment**
**Information Item**
President Mobley asked if there were any public comments; none were offered.

**2.3 Approval of Agenda**
**Motion**
President Mobley asked General Manager Mauricio Guardado if there were any changes to the agenda. Mr. Guardado responded that there were no changes.

Motion to approve the agenda, Director Naumann; Second, Director McFadden. Voice vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion to approve the agenda carries unanimously 7/0.

**2.4 Oral Report Regarding Executive (Closed) Session**
**Information Item**
District Legal Counsel David D. Boyer reported that no action was taken by the Board in Executive (Closed) session that is reportable under the Brown Act.

**2.5 Board Members' Activities Report**
**Information Item**
The Board received and filed information regarding meeting participation provided by each of the Board Members through Monthly Activities (aka per diem) Reports.

**2.6 General Manager's Report**
**Information Item**
General Manager Mauricio Guardado announced to the Board that UWCD Chief Engineer Dr. Maryam Bral will be presenting an update on the District's Coastal Brackish Groundwater Extraction and Treatment project being developed with the U.S. Navy Base Ventura County to the Society of American Military Engineers –

Oxnard Ventura chapter tomorrow (July 15) at the Bard Mansion on the base. He explained that this was a nice opportunity for the District to advance awareness of the project and garner support. He added that the following week he would be visiting with General Managers of other California water agencies experiencing issues like those that the District is experiencing regarding regulatory challenges. He said he would continue to update the Board on this ongoing outreach effort.

Director Berger reminded the Board that the AWA WaterWise event will be occurring on Thursday, July 22 and will feature a presentation from District staff on the subject of "Building Our Way to Water Sustainability."

Mr. Guardado added that the presentation will include the benefits of the District's Water Sustainability Projects, and that Assistant General Manager Anthony Emmert, Senior Hydrologist Dr. Bram Sercu and Senior Hydrogeologist John Lindquist would be participating via Zoom.

Dr. Berger reminded the Board that AWA VC would be dark in August, and typically holds an event for elected officials in September at the Reagan Presidential Library, and in October hopes to be back to in-person meetings.

Mr. Guardado added that the District's Principal Hydrologist Murray McEachron would be presenting to the Santa Clara River Watershed Committee at its meeting, also on Thursday, July 22.

Director Dandy stated that the Ventura County Special Districts Association's next meeting will be on Tuesday, August 3, and will be a hybrid meeting providing for both virtual and in-person participation. The in-person meeting will be held in the District's boardroom and the guest speaker is a cyber security expert from the Federal Bureau of Investigation (FBI) and if anyone is interested in attending, they should let the clerk of the board know.

**2.7 California Special District's Board of Directors Election – Seat A Coastal Network**

**Motion**

Director Dandy recommended that the Board cast its vote for Elaine Magner, who currently servers as the Coastal Network Seat A Board Director. He said that she has been a good representative for the area.

President Mobley asked if anyone had any other comments. None were offered.

Motion to cast the District's vote for Elaine Magner for the California Special Districts' Board of Directors Election, Seat A – Coastal Network, Director Dandy; Second, Director Naumann. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**3. CONSENT CALENDAR: All matters listed under the Consent Calendar are considered routine by the Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member pulls an item from the Calendar. Pulled items will be discussed and acted on separately by the Board. Members of the public who want to comment on a Consent Calendar item should do so under Public Comments. (ROLL CALL VOTE REQUIRED)**

**A. Approval of Minutes**
**Motion**
Approval of the Minutes for the Regular Board Meeting of June 9, 2021 and the Special Board Meeting of June 24, 2021.

**B. Groundwater Basin Status Reports**
**Information Item**
Receive and file Monthly Hydrologic Conditions Report for the District.

**C. Monthly Investment Report**
**Information Item**
Receive and file report on the District's investments and the availability or restriction of these funds. All investments are in compliance with the District's investment policy, which is reviewed and approved annually by the Board.

President Mobley asked if there were any comments or questions regarding Consent Calendar items. None were offered.

Motion to approve the Consent Calendar, Director Naumann; Second, Director Hasan. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4. MOTION ITEMS (By Department)**

**Administrative Services Department – Joseph Jereb and Josh Perez**

**4.1 Approval of [RE]DESIGN Contract in the amount of $337,736 for replacement servers at the District's Oxnard Headquarters and replacement of SCADA servers at the District's El Rio facility**
**Motion**
HR Manager Josh Perez address the Board and explained the District's existing servers had exceeded the service life of the equipment and this contract was for the replacement of servers at the District's headquarters and the SCADA servers at the District's El Rio facility. He added that the District had locked in the cost of the servers earlier, realizing a savings of $55,000 if the Board approved the purchase now.

Director Naumann asked how often the servers needed to be replaced. Mr. Perez said the servers typically need to be replaced every seven years or so and that it is part of the District's security effort to replicate the system at an alternate location.

Director Maulhardt added that the Finance Committee had reviewed this item and recommends the Board approve the purchase and said that the price to replace the servers comes in below the capital improvement amount budgeted.

Director McFadden asked when the equipment would be available. The District's IT Administrator Zachary Plummer said the equipment would be available in about two months.

Motion to approve the contract with [RE]DESIGN in the amount of $337,736 for the replacement of servers at the District's Oxnard Headquarters and the replacement of SCADA servers at the District's El Rio facility Director Naumann; Second, Director Dandy. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**Engineering Department – Dr. Maryam Bral**

Dr. Bral addressed the Board explaining that the next three motion items, 4.2 through 4.4, are all related to the District's Iron and Manganese Treatment project and that the requested funds are all budgeted within FY2021-22 and FY 2022-23.

**4.2 Iron and Manganese Treatment Project Construction Management and Inspection Services Contract Award to HDR Engineering, Inc.**

**Motion**

Dr. Bral presented a selection of slides providing the background on the project, including the objectives and location of the project (see attached slides). She stated that Kennedy Jenks was working with staff on the design of the project, which began in 2015. In January 2021 the plans were finalized and a grant award for $2.8 million was received, which will be administered by Calleguas as part of the IRWM. On July 12, 2021, the District submitted a letter of intent to the Department of Defense grant opportunity, which included a letter of support from the Commanding officer at Navy Base Ventura County.

Director Berger stated that the letter of support from the Navy is a huge win for the District. He added that the Finance Committee was aware of staff's efforts to explore alternative sources of financing and that this was the first time in the District's history that one of its projects was given military support, especially for a project of this amount of money. He said that he commends Dr. Bral and District staff for their efforts.

Director Dandy asked if the grant was still for $2.8 million and if any additional costs were budgeted. Dr. Bral said that all the costs were included in the budget. Chief Financial Officer Joseph Jereb added that funding for this project comes from debt proceeds and has no impact on rates.

Dr. Bral continued, stating that there were no overlaps in activities and roles were transparent. Director Maulhardt asked if the contract amount was time and materials, not to exceed $701,956. Dr. Bral said the contract amount was $638,142

and there is a 10 percent contingency requiring approval. Mr. Guardado added that if the project is completed sooner, the District would save money. Director Maulhardt said the Finance Committee had reviewed and recommended Board approval, then he asked if all three items could be handled in one motion.

Dr. Bral continued to present slides relating to item 4.3 and 4.4.

Director Hasan said that he thinks Engineering did a great job and asked what percentage was design versus contract administration. Dr. Bral said seven percent was construction management and five percent was design. Director Hasan said he noticed that the District's contract was deficient in general liability insurance coverage, as it is indicated at $1 million, and he thinks it should be at least $2 million.

President Mobley asked if there were any additional questions or comments. None were offered.

Motion to award a construction management and inspection services contract to HDR Engineering, Inc., in the amount of $701,956 (includes 10% contingency or $63,814 to be used upon written authorization only) and authorize the General Manager to execute the contract with HDR Engineering, Inc., for construction and inspection services for the Iron and Manganese Treatment Plant, Director Hasan; Second, Director Dandy. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.3 Iron and Manganese Treatment Project Design Services during Construction Contract Award to Kennedy Jenks Consultants, Inc.**

**Motion**

Motion to award a design services during construction contract to Kennedy Jenks Consultants, Inc., in the amount of $537,488 (includes 10% contingency or $48,863 to be used upon written authorization only) and authorize the General Manager to execute the contract with Kennedy Jenks Consultants, Inc., for design services during construction for the Iron and Manganese Treatment Plant, Director Hasan; Second, Director Dandy. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.4 Iron and Manganese Treatment Project Construction Contract Award to GSE Construction Company, Inc.**

**Motion**

Motion to award a contract to the lowest responsible bidder, GSE Construction Company, Inc., in the amount of $9,342,900 and authorize the General Manager to execute the contract with GSE Construction Company, Inc. for the construction of the Iron and Manganese Treatment Plant, Director Hasan; Second, Director Dandy. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**4.5 Resolution 2021-16 Approving the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) determination for the Lake Piru Water Treatment Plant Slope Repair and Drainage Improvements Project and Authorize Staff to file a NOE with the Ventura County Clerk and Recorder's Office.**

**Motion**

Dr. Bral addressed the Board, explaining that the Lake Piru Water Treatment repair was brought before the Board previously and has been identified as an emergency project and that Engineering evaluated and has taken measures to repair the slope, but a Notice of Exemption, which has no fiscal impact on the District, needs to be filed with the County for the project. Director Maulhardt said the Engineering and Operations Committee reviewed the Resolution and recommends Board approval.

Motion to approve Resolution 2021-16 approving the California Environmental Quality Act (CEQA) Notice of Exemption (NOE) determination for the Lake Piru Water Treatment Plant Slope Repair and Drainage Improvements Project and authorize staff to file the NOE with the Ventura County Clerk and Recorder's Office, Director Maulhardt; Second, Director Hasan. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

**Operations and Maintenance Department – Brian Collins**

**4.6 Approving the Procurement of a Long Reach Excavator**

**Motion**

Chief Operations Officer Brian Collins addressed the Board, saying that, like his request in December 2020 for the approval of a supplemental appropriation to purchase the Eddy Pump, this motion represents phase two of acquiring the tools for sediment management at the Freeman Diversion. He added that with minor modification to the hydraulics of the short reach boom to leverage capacity for long reach. Director Maulhardt asked if the quote from Quinn included modification of the additional bucket. Mr. Collins said the long reach boom bucket will be replaced when available.

Motion to approve the procurement of a long reach excavator and authorize the General Manager to execute a purchase agreement in the amount of $281,000, Director Naumann; Second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

## 5. PRESENTATIONS AND MONTHLY STAFF REPORTS (By Department)

**Administrative Services Department – Joseph Jereb and Josh Perez**

**5.1 Monthly Administrative Services Department Report – Joseph Jereb and Josh Perez**

**Information Item**

Chief Financial Officer Joseph Jereb addressed the Board and shared a presentation on the District's finances (see attached slides). Mr. Jereb also announced the hiring of a new controller, Mr. Darryl Smith, who would be joining the District on July 19. Mr. Perez continued the presentation, adding that he had just applied for a grant for $53,000 to upgrade the security camera system at Lake Piru and was quickly outshined by Dr. Bral's announcement of her application for a $4 million grant for the Iron and Manganese project. Mr. Perez also added that since March of this year, Lake Piru Recreation Area had collected $540,000 in revenue, with January to June revenue close to $510,000 and July looking to come in around $139,000.

**Engineering Department – Dr. Maryam Bral**

**5.2 Monthly Engineering Department Report**

**Information Item**

Dr. Bral presented an update to the Board on the various recent activities of the Engineering Department (see attached slides). Dr. Bral reported that she had received a letter from FEMA today advising her of an increase in the grant amount for the emergency generators purchased and installed by the District. She reported that the original grant application asked for $661,000 and that now the District will receive an additional $166,000, which is 75 percent of the project costs, which is $1.1 million.

**Environmental Services Department – Linda Purpus**

**5.3 Monthly Environmental Services Department Report**

**Information Item**

Environment Services Department Manager Linda Purpus addressed the Board and shared a presentation on the recent activities of the Environmental Services Department (see attached slides). Ms. Purpus then turned the presentation over to Associate Environmental Scientist Tessa Lenz, who provided the Board with an update on the quagga mussel situation at Lake Piru (see attached slides).

**Operations and Maintenance Department – Brian Collins**

**5.4 Monthly Operation and Maintenance Department Report**

**Information Item**

Summary report on monthly activities of the Operations and Maintenance Department was received and filed. President Mobley asked if the Board had any questions or comments. None were offered.

**Park and Recreation Department – Clayton Strahan**

**5.5 Monthly Park and Recreation Department Report**

**Information Item**

Summary report on monthly activities of the Park and Recreation Department were received and filed. President Mobley asked if the Board had any questions or comments. None were offered.

**Water Resources Department – Dr. Maryam Bral**

**5.6 Monthly Water Resources Department Report**

**Information Item**

Summary report on the monthly activities of the Water Resources Department were received and filed. President Mobley asked if the Board had any questions or comments. None were offered.

**5.7 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)**

**Information Item**

Summary report on the monthly activities of the three local Groundwater Sustainability Agencies (Mound Basin GSA, Fillmore and Piru Basins GSA, and the Fox Canyon Groundwater Management Agency), for which the District serves as a member director, and the Santa Paula basin (adjudicated) Technical Advisory Committee were received and filed. President Mobley asked if the Board had any questions or comments. None were offered.

**6. BOARD OF DIRECTORS READING FILE**

**7. FUTURE AGENDA ITEMS**

President Mobley asked if there were any suggested agenda items for future discussions. None were offered

**8. ADJOURNMENT 2:42p.m.**

President Mobley adjourned the meeting at 2:42p.m. to the **Regular Board Meeting scheduled for Wednesday, September 8, 2021** or call of the President.

I certify that the above is a true and correct copy of the minutes of the UWCD Board of Directors meeting of July 14, 2021.

**ATTEST:**_____

Sheldon G. Berger, Secretary/Treasurer

**ATTEST**:_____

Kris Sofley, Clerk of the Board

United Water
CONSERVATION DISTRICT



# ATTENDANCE LIST

**MEETING DATE: Wednesday, July 14, 2021 12noon**

**MEETING: UWCD Board of Directors Meeting**

The signing or registering of your name on this sign-up form is not required but is voluntary. All persons may attend the meetings of the Board of Directors of United Water Conservation District without signing or registering their names on this form.

| Name (Please Print) | Representing |
|---|---|
| Jennifer Tobo | City of Ventura |

## Voting receipt - CSDA 2021 Board of Directors

Receipt code: **YYPP**

Time of vote: **2021-07-14 15:55:50 America/Los_Angeles**

IP address: **47.180.192.75**

**CSDA Board of Directors Election Ballot - Term 2022-2024; Seat A - Coastal Network**

Please vote for your choice: **Elaine Magner***


# ENGINEERING DEPARTMENT Motion Items

July 1, 2021

United Water CONSERVATION DISTRICT

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## Motion Items
## 4.2, 4.3, 4.4

**Iron and Manganese Treatment Project**

- ❑ **Construction Management and Inspection Services Contract Award to HDR Engineering, Inc.**
- ❑ **Design Services during Construction Contract Award to Kennedy Jenks Consultants, Inc.**
- ❑ **Construction Contract Award to GSE Construction Company**

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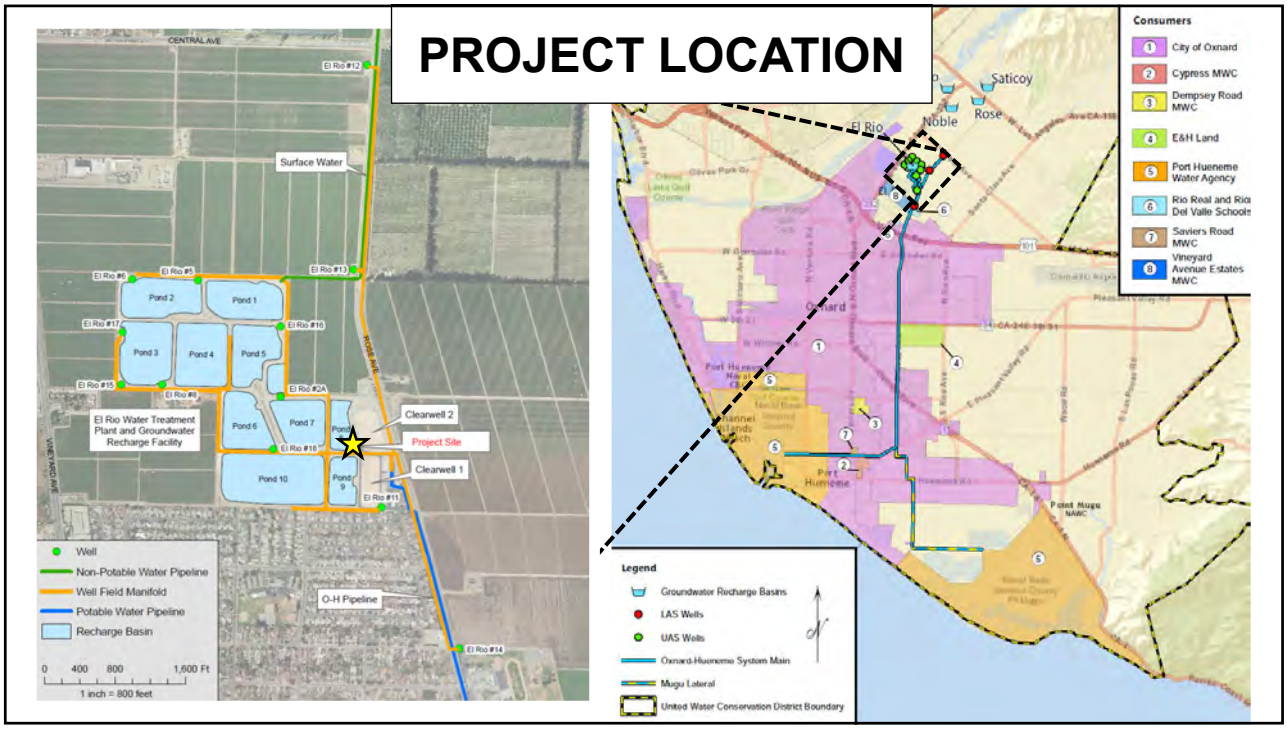


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# Project Objectives and Background

**Objectives**

- Drought Resilience
- Drinking Water Quality Standards Compliance
- Water Quality Improvement

**Facility Design**

- Fe/ Mn Removal from 3 LAS Wells at El Rio
- Treatment Capacity (Phase I): up to 3500 gpm or 5,646 AFY
- Provisions for Future Expansion (Phase II): up to 8500 gpm or 13,709 AFY
- Nitrate control by blending groundwater from UAS with LAS

**Project Activities**

- Feasibility Study, incl 1st Pilot Testing Completed in August 2016
- Design Contract Award to Kennedy Jenks in July 2018
- PS&E Finalized in January 2021
- Grant Awards supporting Project Construction for $2.8 million
- Sub-Grant Agreement with CMWD for the DWR IRWMI Grant awarded to Watershed Coalition of Ventura County in June 2021

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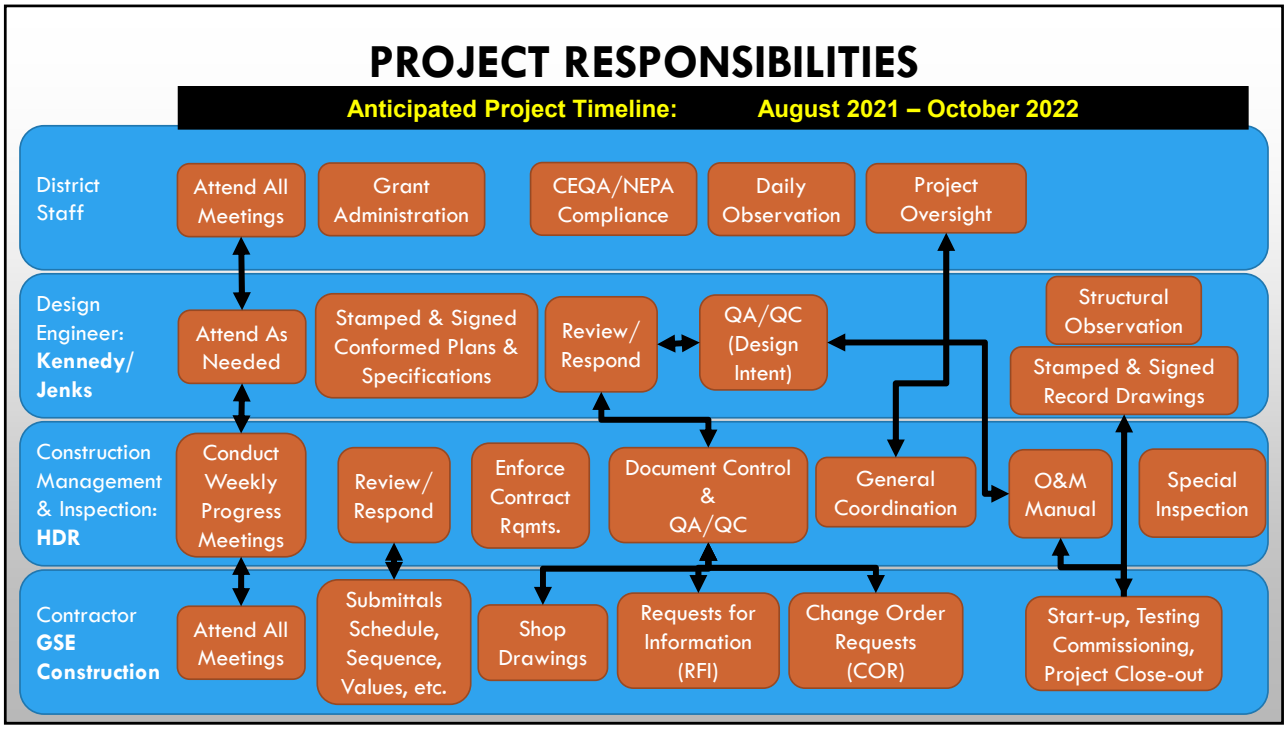


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# Motion Item
## 4.2

**Iron and Manganese Treatment Project Construction Management and Inspection Services Contract Award to HDR Engineering, Inc.**

- ❑ RFQ/RFP released on March 5, 2021
- ❑ 13 Consultants were invited
- ❑ 4 Consultants submitted proposals by April 23, 2021
- ❑ 3 Consultants were interviewed
- ❑ HDR Engineering, Inc. was selected by the interview panel
- ❑ Contract Amount: $638,142 + $63,814 (10% contingency) = **$701,956**
- ❑ T&M Contract

6

6

# Motion Item
## 4.3

**Iron and Manganese Treatment Project Design Services during Construction Contract Award to Kennedy Jenks Consultants, Inc.**

- ❑ Prepare Conformed Plans and Specifications
- ❑ Respond to Contractor's Requests for Information (RFI)
- ❑ Respond to Contractor's Submittals and Shop Drawings
- ❑ Respond to Change Order Requests (CORs)
- ❑ Provide O&M Manual, Operations Plan and startup assistance
- ❑ Prepare Record Drawings
- ❑ Contract Amount: $488,625 + $48,863 (10% contingency) = **$537,488**
- ❑ T&M Contract

7

7

# Motion Item
## 4.4

**Iron and Manganese Treatment Project Construction Contract Award to GSE Construction Company**

- ❑ Competitive Procurement Process
- ❑ Wide advertisement: Online Procurement Service – BidNet
- ❑ Notice Inviting Bids to Contractor recently bid on local Projects
- ❑ Mandatory pre-bid meeting at El Rio
- ❑ Five (5) addenda in Response to Questions from Contractors
- ❑ Four (4) Bids received

8

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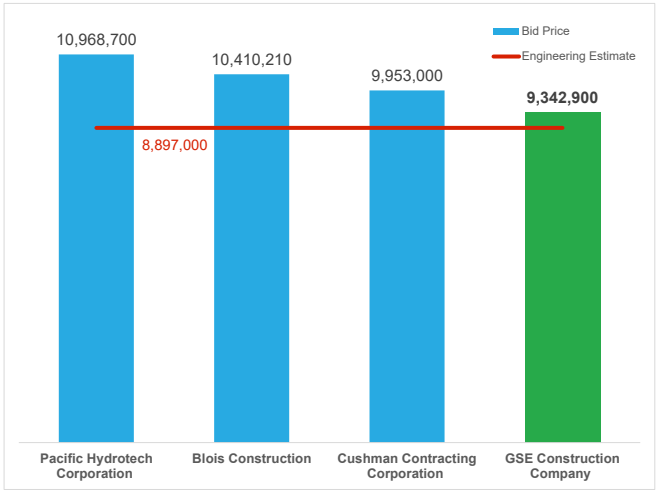
# Construction Bid Results




**5% to 23% above Engineering Estimate**

9

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# Motion Item
## 4.5

**Approving the CEQA Notice of Exemption Determination for the Lake Piru Water Treatment Plant Slope Repair and Drainage Improvements Project**

10

10

United Water CONSERVATION DISTRICT

*United Water Conservation District shall manage, protect, conserve and enhance the water resources of the Santa Clara River, its tributaries and associated aquifers, in the most cost effective and environmentally balanced manner.*

# ADMINISTRATIVE SERVICES DEPARTMENT

JUNE 2021 RECAP

1


2

## ACCOUNTS PAYABLE

435 payables processed with a total amount of $1.6M.


UNITED WATER CONSERVATION DISTRICT • FINANCE DEPARTMENT RECAP

## PAYROLL

- Paid 12 payroll-related vendors a total amount of $426K
- 293 hours of overtime worked
  - 2.6% of regular hours
  - 221 paid-out
  - 72 accrued as compensatory time
- Gross: $561K
- Net: $370K


3

3

## CASH COLLECTIONS

- Property Taxes: $50K
- Pipeline: $1.2M
- Grants: $25K
- Rents: $68K
- Miscellaneous (Lake Piru): $139K

**Total: $1.5M**

UNITED WATER CONSERVATION DISTRICT • FINANCE DEPARTMENT RECAP

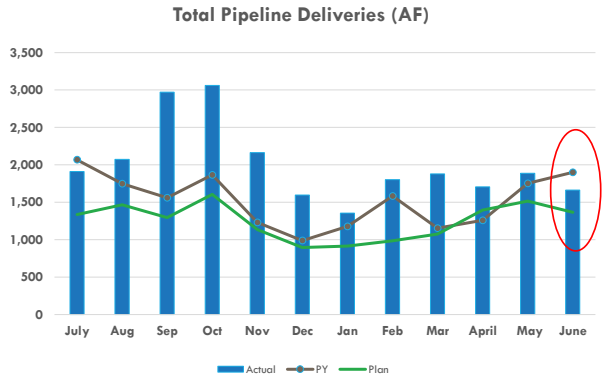
4

4

## JUNE 2021 PIPELINE

| | $ Billed | Actual AF | Plan AF | Variance |
|---|---|---|---|---|
| OH | $678K | 1,162 | 895 | 267 |
| PT | $273K | 502 | 470 | 32 |
| PV | $11K | | | |

- Year-to-date June deliveries 61% ahead of Plan and 32% over PY
- Excluding Pleasant Valley deliveries, volume 39% ahead of Plan and 20% ahead of PY




UNITED WATER CONSERVATION DISTRICT • FINANCE DEPARTMENT RECAP

5

5

- Finalized the FY 2021-22 budget which was adopted by the Board on June 8, 2021.
- Prepared 2021-1 groundwater statements and mailed them to customers.
- Completed the FY 2020-21 Interim Audits.
- Finalized the FY 2021-22 GSA budgets which were adopted by their respective Boards in June.

UNITED WATER CONSERVATION DISTRICT • FINANCE DEPARTMENT RECAP

6

6


7


- Aided Water Resources Department with groundwater hearing exhibits for June Board meeting
- Met with SEIU Local 721 on employment and labor relations matters
- Assisted with the following recruitments:
  - Finance Department Controller position
    - New Controller to start 7/19/21
    - Significant cost savings over typical recruitment.
  - Environmental Services Field Assistant (Part-Time)



8


- Updated COVID-19 Prevention Plan to align with recent updated state and local public health guidance, as well as prepared all required workplace safety compliance documentation
- Met with Ventura County Sheriffs Office regarding grant funding opportunities
- Santa Felicia Dam:
  - Updated Security Plan in partnership with Engineering Department
  - Supported the Engineering Department with Emergency Action Plan Drill and Emergency Management Notification System



9


- Provided IT support for District virtual meetings
- Cybersecurity and Phishing:
  - Distributed advisories to staff to mitigate risk to technology systems
  - Upgraded security posture to UWCD firewall devices
- Provided documentation of current Technology Systems configurations to UWCD External Audit Team for review
- Lake Piru Recreation Area:
  - Modernized the phone menu, call routing, and voicemail applications



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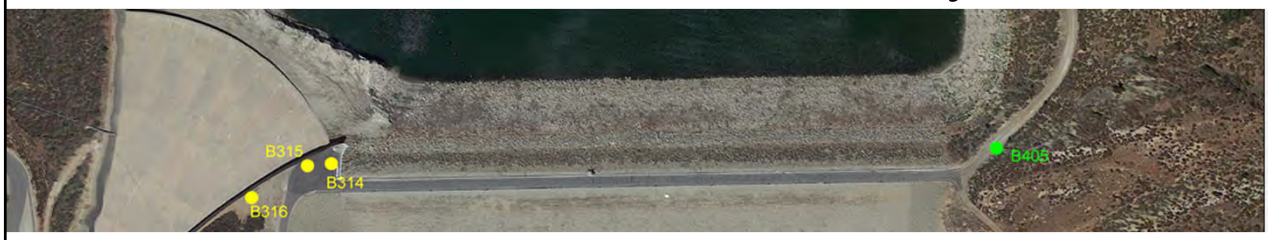
# ENGINEERING DEPARTMENT Monthly Update

July 1, 2021

United Water CONSERVATION DISTRICT

1

## Santa Felicia Dam Safety




**2020 Annual Security Compliance Certification Letter Approved**

Submitted to FERC in December 2020.

FERC approval letter received on June 4 with no comments.

**Physical Dam Inspection is Back!**

DSOD Dam Inspection on Thursday, June 24

**EAP Call-Down Drill**

Annual EAP Drill on June 29

2

2

# Santa Felicia Dam Safety Improvement Project

- ❑ Response Letter to FERC regarding the request for project schedule extension on June 16, 2021
- ❑ Received FERC's Approval for consultant replacement on June 29, 2021
- ❑ New contract with Catalyst/Cardno for 30% design development for the new release channel
- ❑ Channel Design Workshop with FERC, NMFS, and CDFW on June 10, 2021
- ❑ Fish Screen Workshop (technical assistance meeting) with FERC, NMFS, and CDFW on June 22, 2021

3

3

# Grand Canal Project

**Construction Substantially Complete**

- ❑ New Headworks hydraulic capacity increased to 500 cfs
- ❑ New Headworks includes
  - 3 new Culverts (18 - 5 ft x 4 ft RCB)
  - 3 new stainless-steel gates (5 ft x 4ft) with 3 new EMOs
  - Concrete headwalls and catwalks
  - Grouted riprap
  - Electrical conduits

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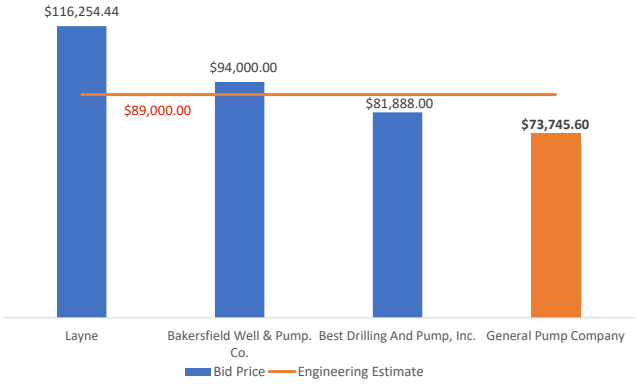
# El Rio Water Well No. 19
## Pump and Motor Installation

- Four (4) bids received
- General Pump Company lowest responsible bidder at $73,745.60
- Agreement with GPC executed on June 14, 2021

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# OH System Backup Generator Project

❑CalOES approved District's request for project time extension.

❑New project completion date is March 26, 2022.

❑Contractor mobilized to the site on June 14.


Demolition of Existing Generator Pad


Over-Excavation and Compaction for the new Pad

6

6

# Coastal Brackish Groundwater Extraction and Treatment Project

- Leadership meeting with the Navy on May 26
- Participated in the meeting between Congresswoman Brownley's office and the Ventura County Navy Base on June 22

- RFP for CEQA documentation and processing was released on April 21
- Two proposals received on May 21. Interviews scheduled for June 28 and 30

- DWR received a request for time extension for the completion of the groundwater modeling feasibility study report

7

7


# Environmental Services

July 14, 2021

**Department Updates:**

*Freeman Sediment Management Program*

*Freeman Geotechnical Exploration Permitting*

**Key Highlight:**

*Quagga Mussel Monitoring and Control Plan - 2020 Annual Report Summary*

1



**Quagga Mussel Monitoring and Control Plan**
**2020 Annual Report Summary**

United Water Conservation District

2

2

## 2020 Annual Report Takeaways

COVID-19 Impacts on Monitoring Program

Water Quality

Veliger Sampling

Lake Piru Infrastructure Scraping

United Water Conservation District

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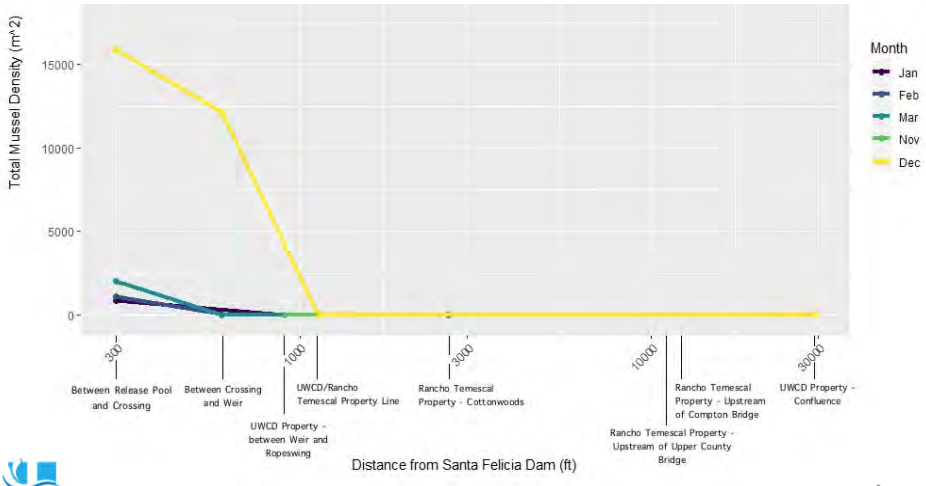
## Streambed Surveys in Lower Piru Creek

- Pattern indicates relatively low densities of adults in lower Piru Creek which decrease moving downstream




United Water Conservation District

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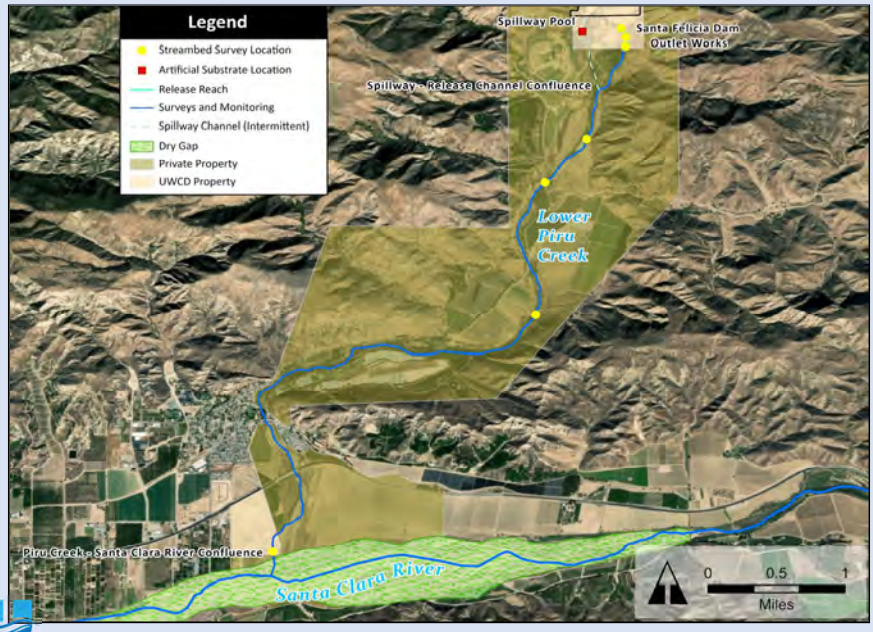
## Monitoring Locations Downstream of Lake Piru




United Water Conservation District 5

5

## Control and Containment Techniques

- Physical Control
  Lake Level Management Strategy
- Chemical Control:
  Potential Molluscicide Pilot Study
- Physical Containment
  Santa Felicia Dam Safety Improvement Project

United Water Conservation District 6

6

## October 2020 Veliger Detection at Moss Screen Facility

**UWCD Response:**

- Installed a chlorine injection system at the moss screen facility to protect lower system infrastructure
- Additional monitoring and surveys initiated at seven locations in the lower system
- Lower system monitoring conducted six months following detection

United Water Conservation District 7

7

*Thank you!*

Questions

United Water Conservation District 8

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# MINUTES
# SPECIAL BOARD MEETING

**Monday, August 30, 2021, 1:00 P.M.**
**Board Room, UWCD Headquarters**
**1701 N. Lombard Street, Oxnard CA 93030**

**Board Members Present**
Michael W. Mobley, president
Bruce E. Dandy, vice president
Sheldon G. Berger, secretary/treasurer
Mohammed A. Hasan
Lynn E. Maulhardt
Edwin T. McFadden, III
Daniel C. Naumann

**Staff Present**
Mauricio E. Guardado, Jr., general manager
David D. Boyer, legal counsel
Dr. Maryam Bral, chief engineer
Brian Collins, chief operations officer
Anthony Emmert, assistant general manager
Zachary Plummer, IT administrator
Daryl Smith, controller
Kris Sofley, executive assistant/clerk of the board

**Public Present**
Suparna Jain, AALRR
Jennifer Tribo, Ventura Water
Dr. Larry Weber, University of Iowa

## 1. FIRST OPEN SESSION 1:00 P.M.

President Mobley called the meeting to order at 1 p.m. and asked the District's Legal Counsel Suparna Jain to announce what the Board will discuss in Executive (Closed) Session.

Ms. Jain said the Board, pursuant to Government Code Section 54956.9(d)(1), would be discussing one case of existing litigation with Wishtoyo Foundation (Wishtoyo Foundation, et al v United Water Conservation District, U.S. District Court for the Central District of California, Case No. 2:16-cv-03869 CHK (PLAx)).

### 1.1 Public Comments

**Information Item**

President Mobley asked if there were any public comments at this time; none were offered.

**2. EXECUTIVE (CLOSED) SESSION 1:05 P.M.**

President Mobley adjourned the meeting into Executive (Closed) session at 1:05p.m.

President Mobley called for a 10 minute recess at 1:50p.m.

**3. SECOND OPEN SESSION AND CALL TO ORDER 2:00 P.M.**

President Mobley called the Second Open Session of the Board meeting to order at 2 p.m. and asked Director Naumann to lead everyone in the Pledge of Allegiance.

**3.1 Pledge of Allegiance**

Director Naumann led everyone in reciting the Pledge of Allegiance.

**3.2 Public Comment**

**Information Item**

President Mobley asked if there were any public comments; none were offered.

**3.3 Oral Report Regarding Executive (Closed) Session**

**Information Item**

District Legal Counsel Suparna Jain reported that no action was taken by the Board in Executive (Closed) session that is reportable under the Brown Act.

**3.4 Approve University of Iowa Modeling Contract**

**Motion**

Motion to award a contract to the University of Iowa Institute of Hydraulic Research (IIHR) in the amount of $1,500,426 (includes 10% contingency of $136,402 to be used upon the District's written authorization only) and authorize the General Manager to execute the contract with IIHR for physical modeling services, Director Berger; Second, Director McFadden. Roll call vote: seven ayes (Berger, Dandy, Hasan, Maulhardt, McFadden, Naumann, Mobley); none opposed. Motion carries unanimously 7/0.

Director Hasan commented that he was delighted work in being done and it is key to get involvement of other agencies early on and he supports this action.

**ADJOURNMENT 2:04p.m.**

President Mobley adjourned the meeting at 2:04p.m. to the **Regular Board Meeting scheduled for Wednesday, September 8, 2021** or call of the President.

I certify that the above is a true and correct copy of the minutes of the UWCD Special Board of Directors meeting of August 30, 2021.

**ATTEST:**_____

Sheldon G. Berger, Secretary/Treasurer

**ATTEST**:_____

Kris Sofley, Clerk of the Board

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager
Maryam A. Bral, Chief Engineer

**From:** Kathleen Kuepper, Hydrogeologist
Bram Sercu, Senior Hydrologist

**Date:** **September 2, 2021 (September 8, 2021, meeting)**

**Agenda Item:** **3.B Groundwater Basin Status Report**
**Informational Item**

---

**Staff Recommendation:**

The Board will receive and file this summary report from the Water Resources Department regarding activities for the month of August 2021.

**Summary:**

Spreading and Pipeline Deliveries for Month of August 2021

| Location | Amount (acre-feet) |
|---|---|
| Saticoy | 0 |
| Noble and Rose Pits | |
| El Rio | 0 |
| Piru | |
| Diverted at Freeman for Pipeline Deliveries | 0 |
| Saticoy/O-H Deep Wells Pumped for Ag Pipeline Deliveries | |
| Lloyd-Butler Diversion | 0 |

Groundwater Basin Available Storage at End of Month of August 2021

| Basin | Available Storage (acre-feet) |
|---|---|
| Oxnard Forebay | 120,300 |

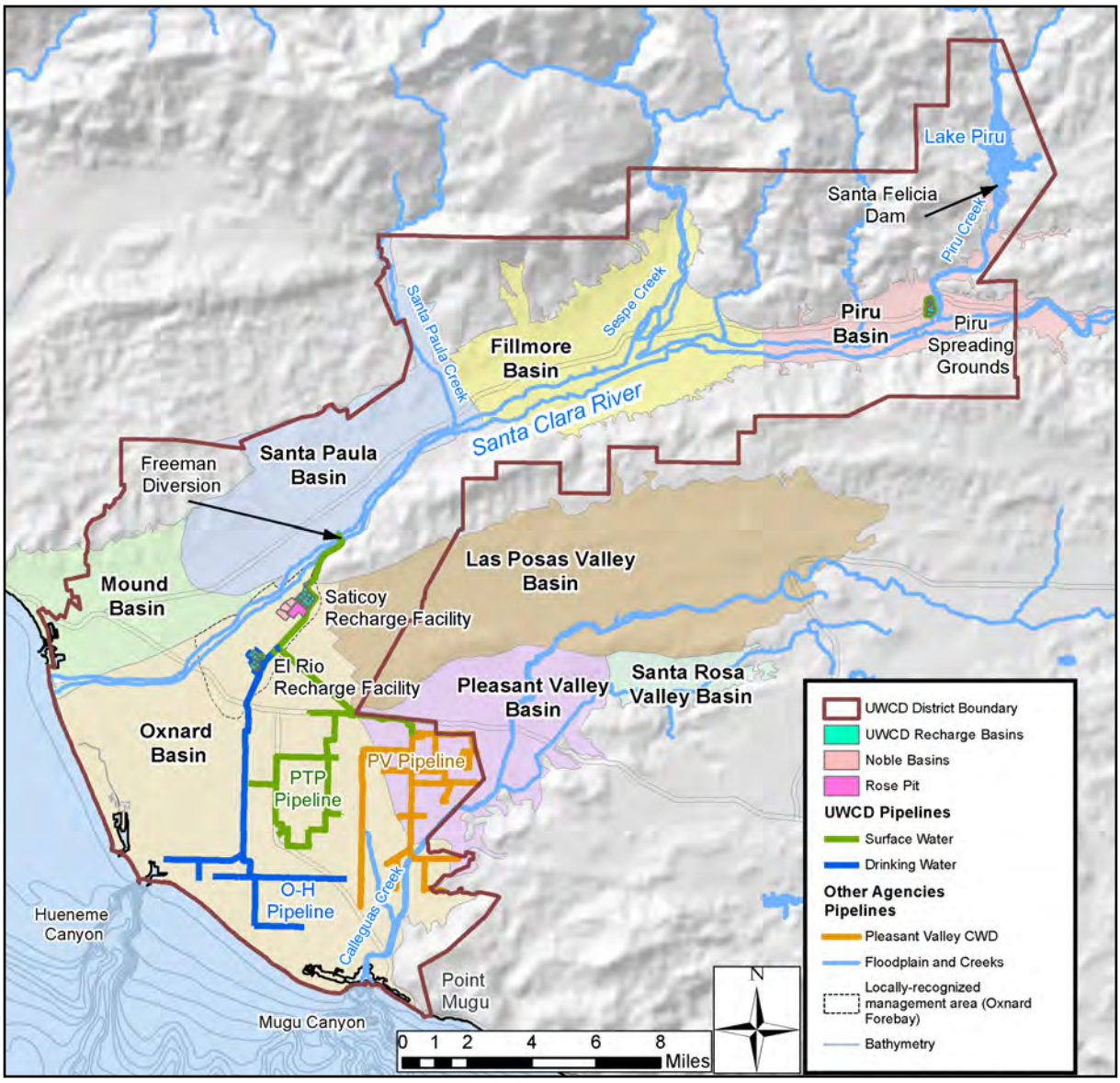
Precipitation for Month of August 2021

| Location | Precipitation (inches) |
|---|---|
| Lake Piru | 0.00 |
| Santa Paula | 0.00 |
| El Rio | 0.00 |

# United Water CONSERVATION DISTRICT

August 2021 Hydrologic Conditions Report
2020/21 Water Year

September 2, 2021




*Note: This report may contain provisional data until final review at the end of the water year.*

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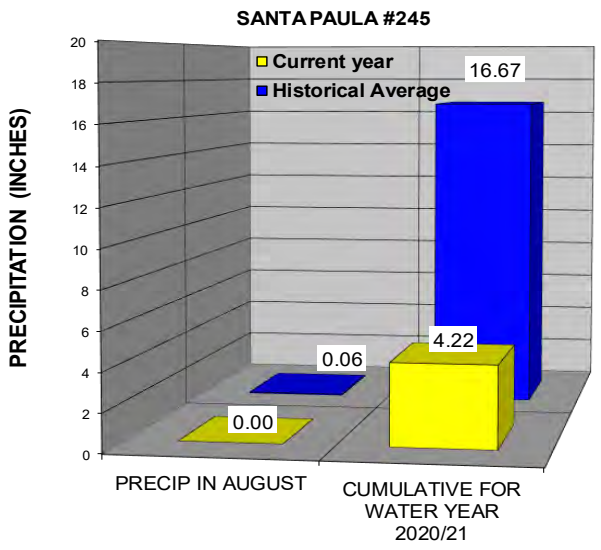
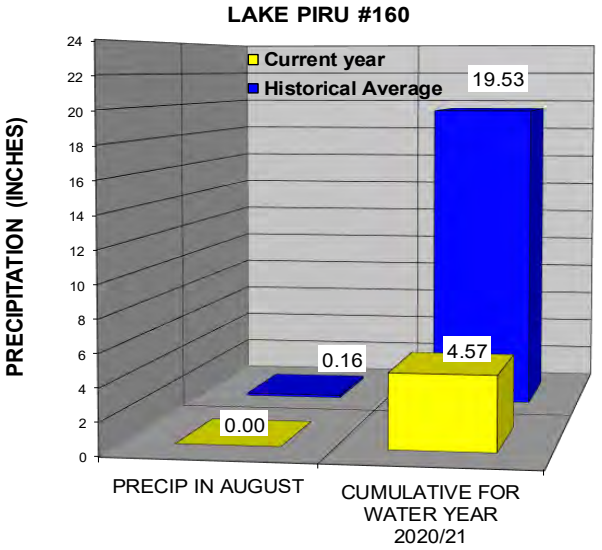
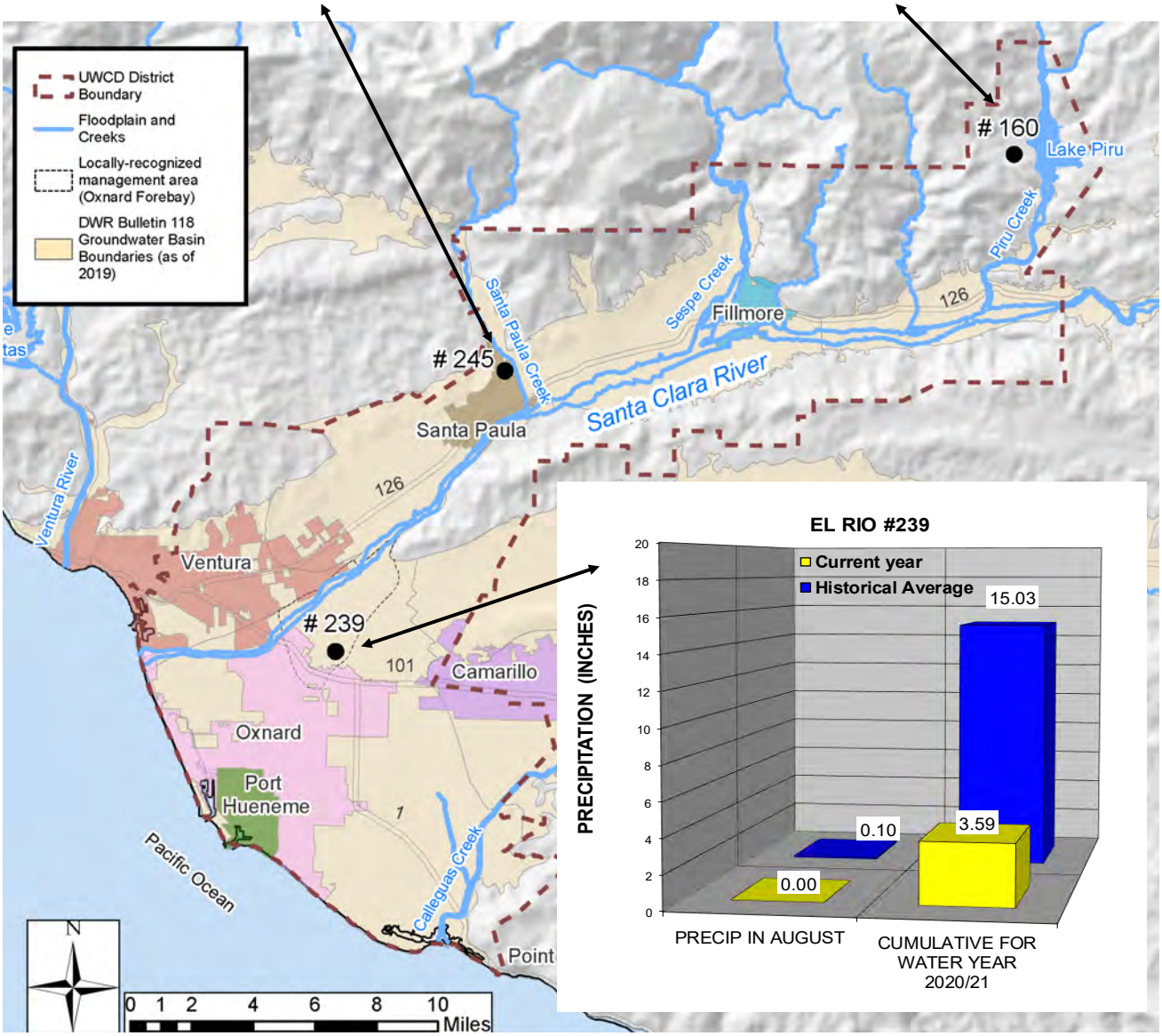


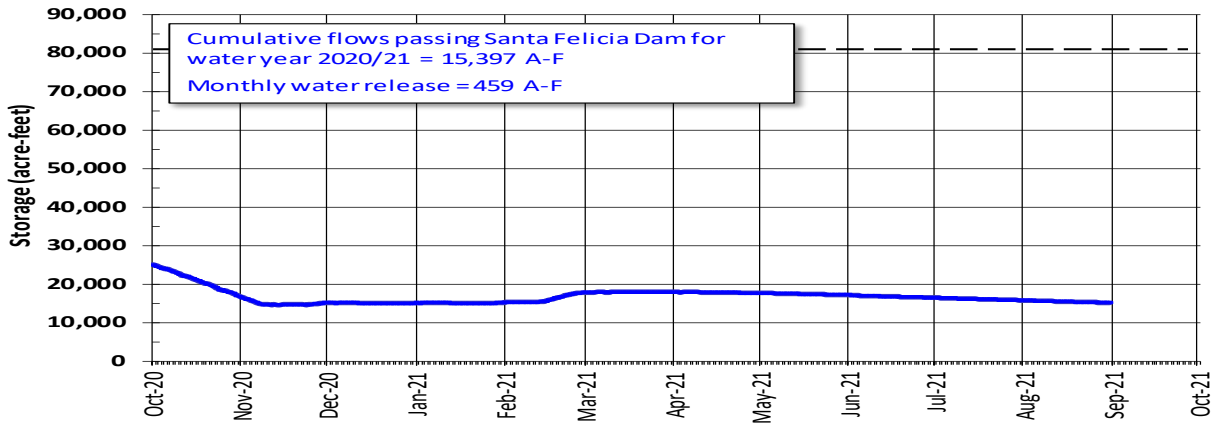







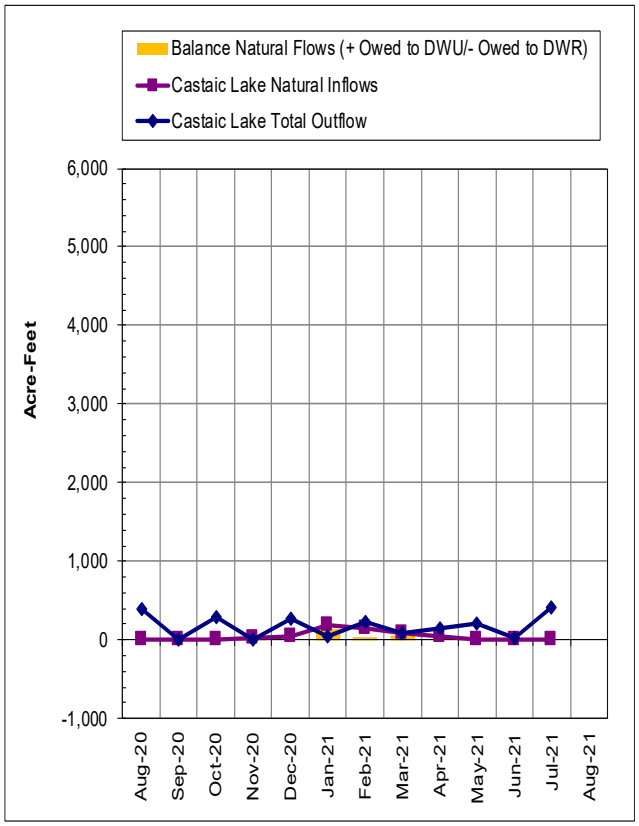
**District-wide percent of normal precipitation = 24%**

## Lake Piru storage and outflow

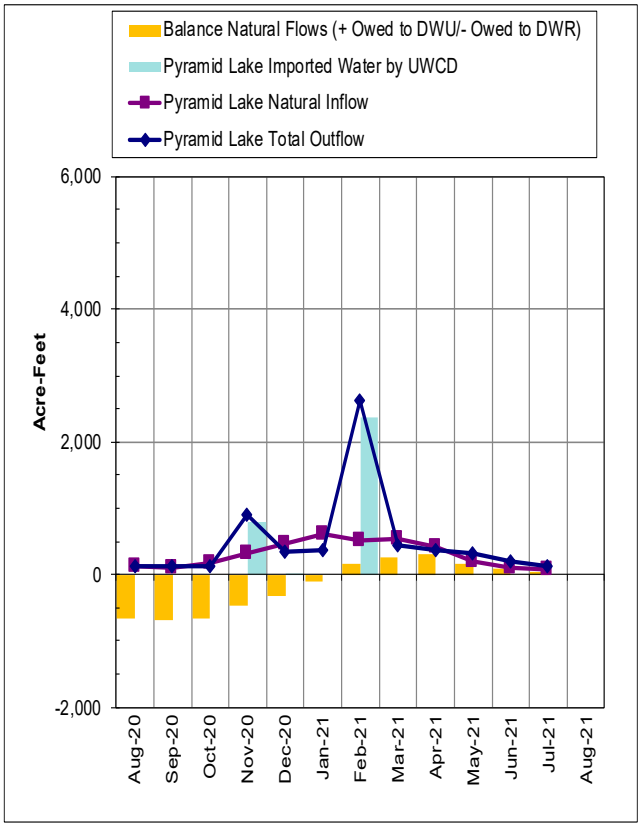



| | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Hydro Plant Outflow (Acre-Feet) | 4,345 | 214 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | |
| Cumulative Hydro Plant Outflow (A-F) | 4,345 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | 4,559 | |

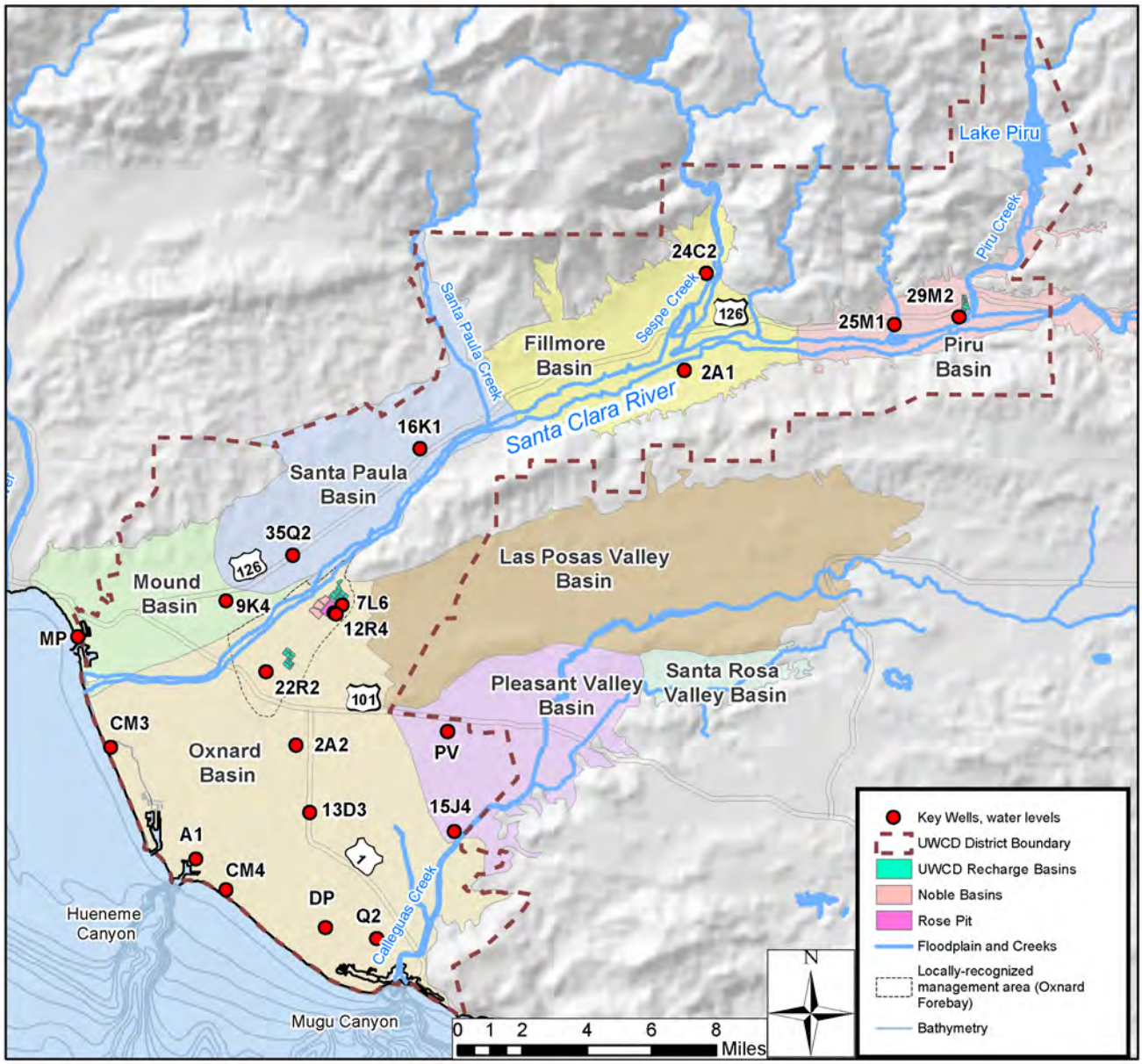
## Castaic Lake releases to downstream water users (DWU)



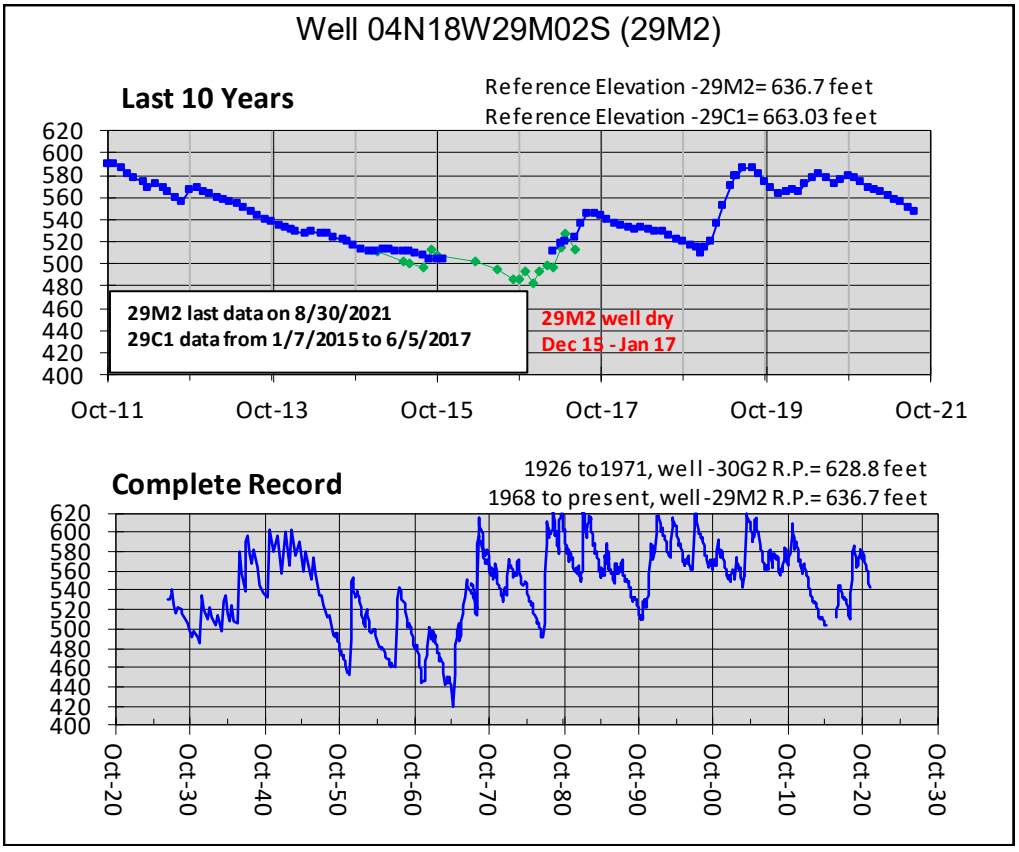

## Pyramid Lake releases to UWCD

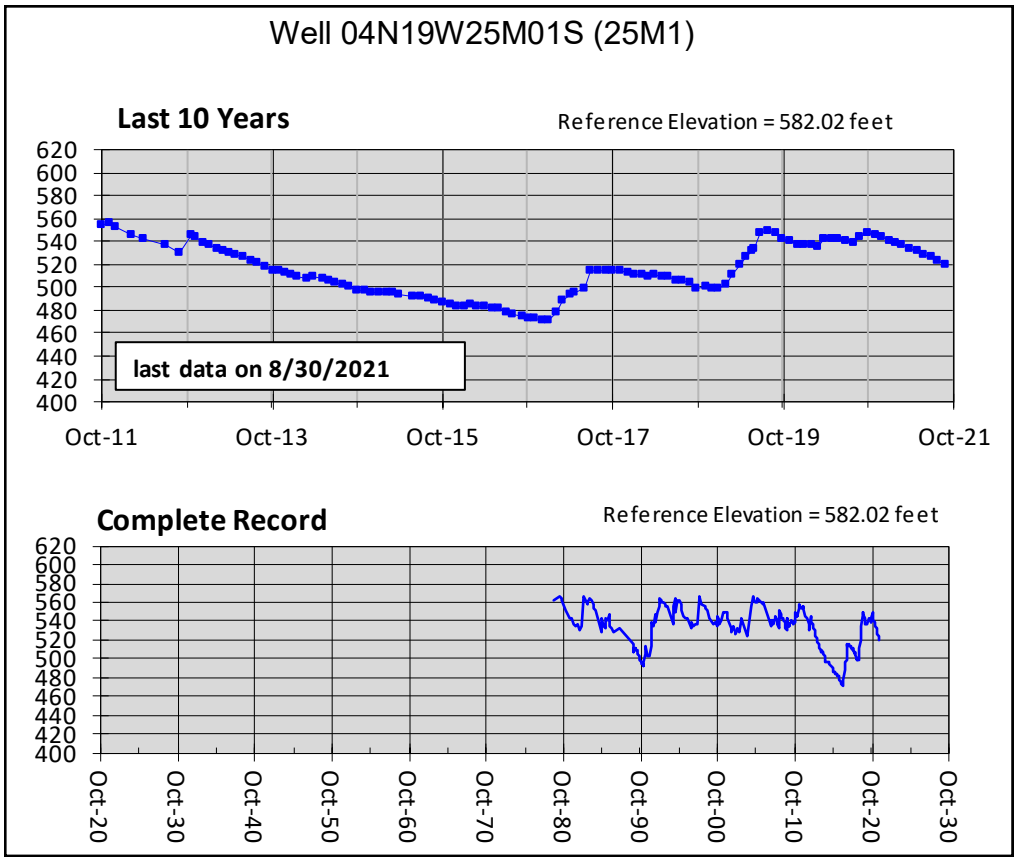


**Locations of key wells, monthly groundwater elevation monitoring**

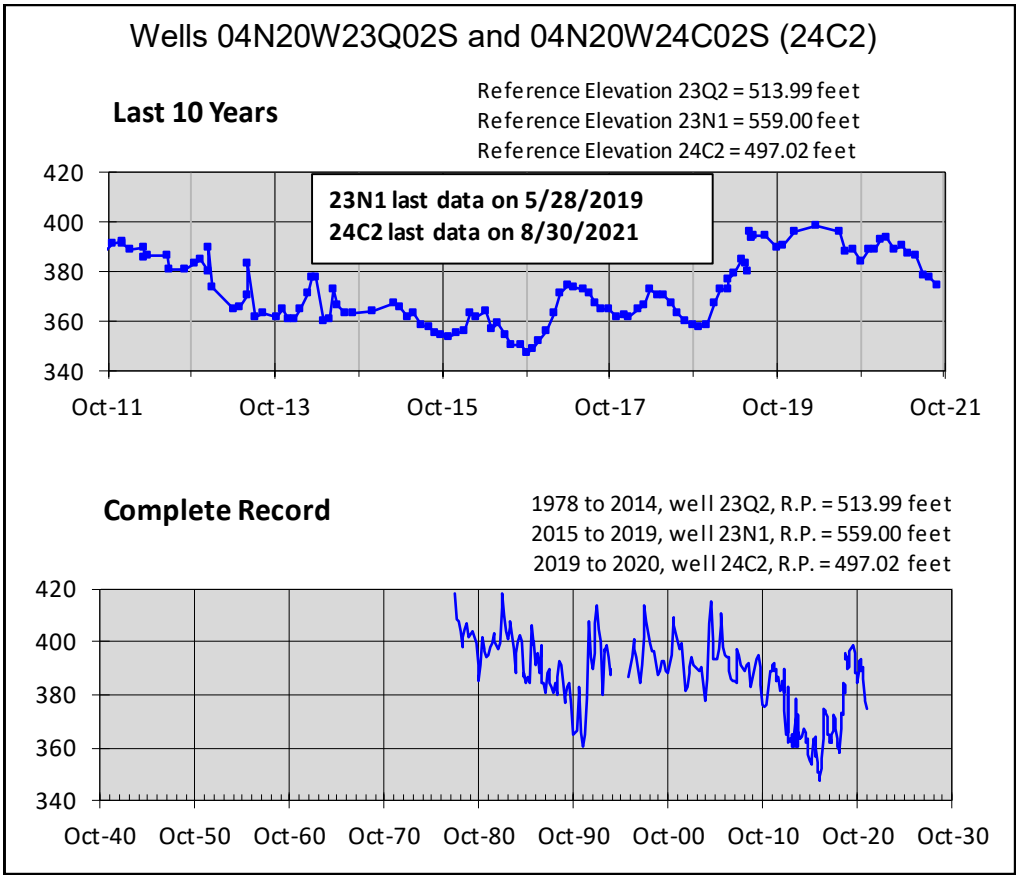


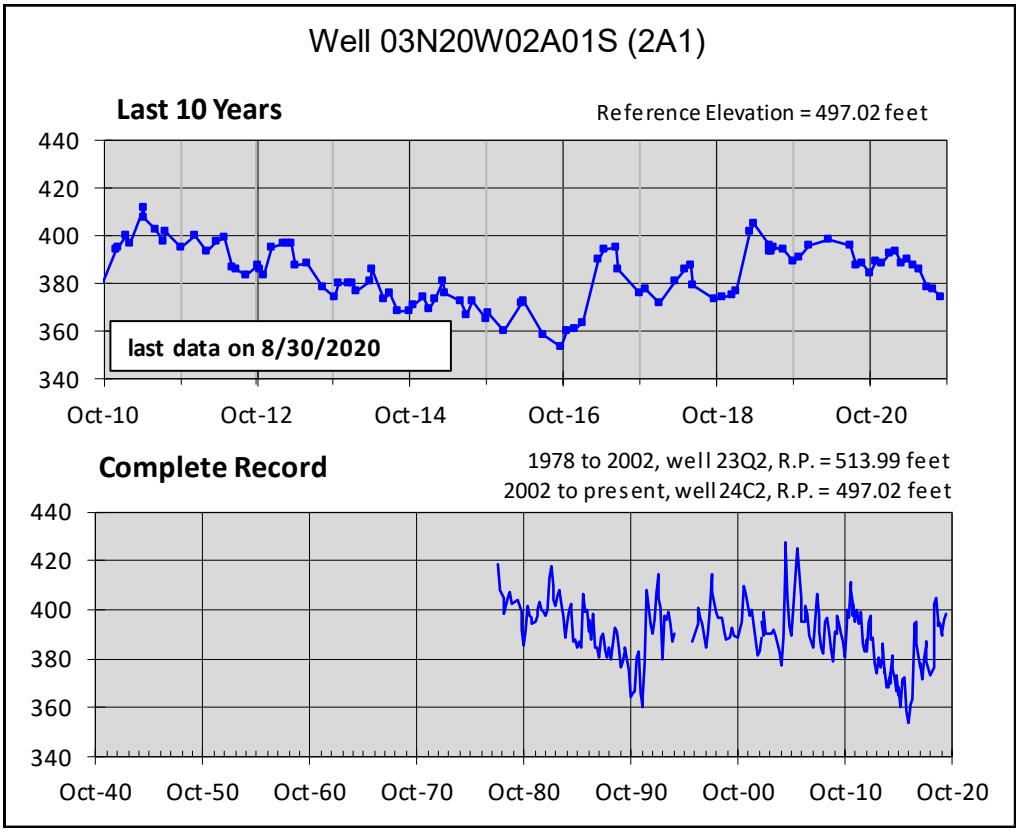
# Piru Basin Key Wells
# Groundwater Elevation Records



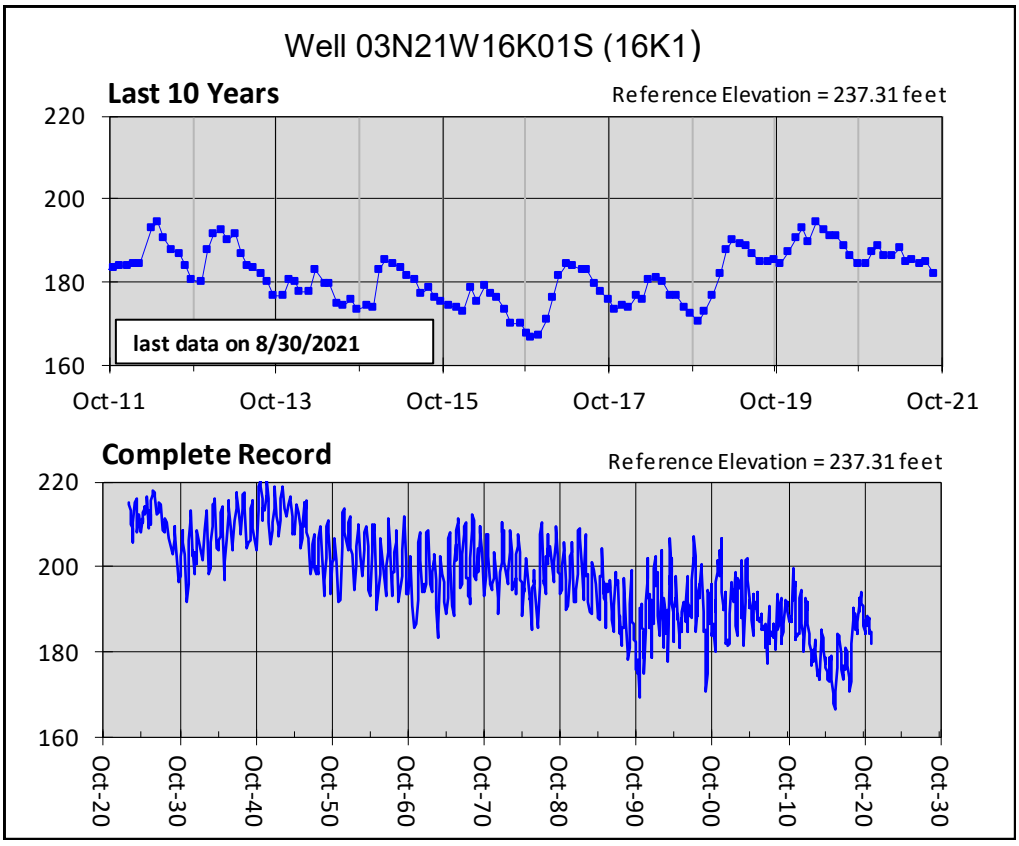
## Fillmore Basin Key Wells
## Groundwater Elevation Records



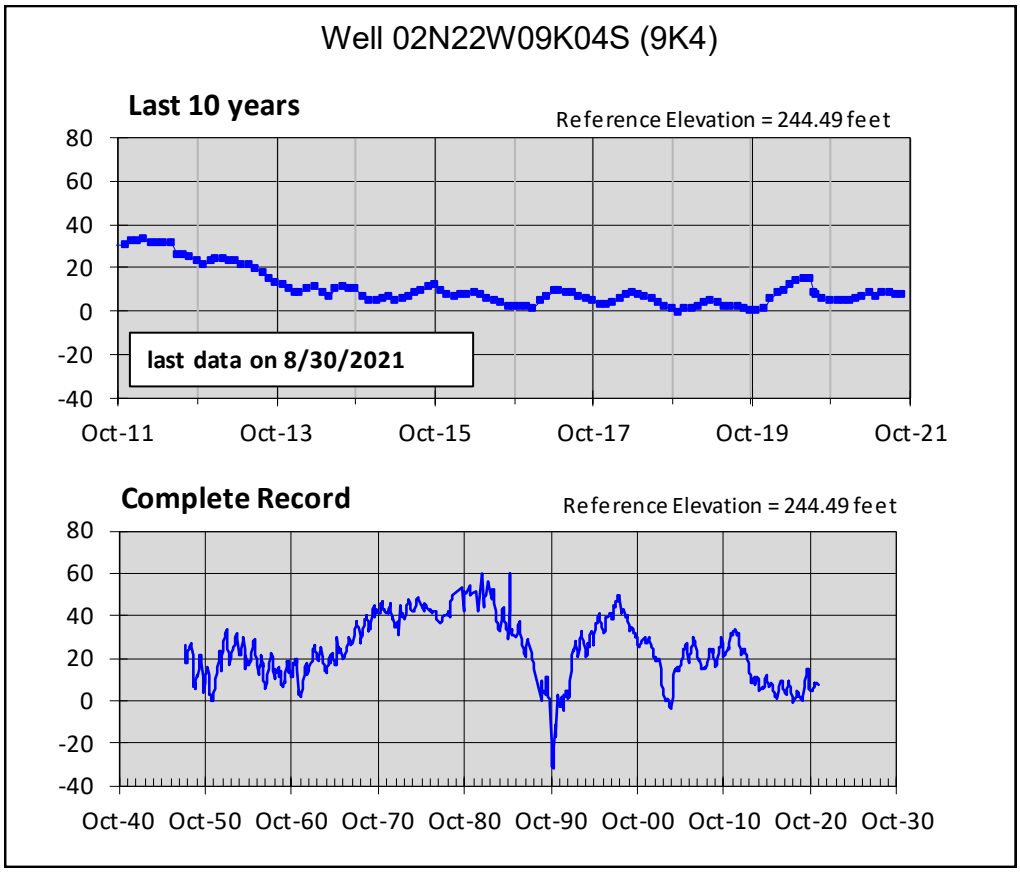



# Groundwater Elevation Records

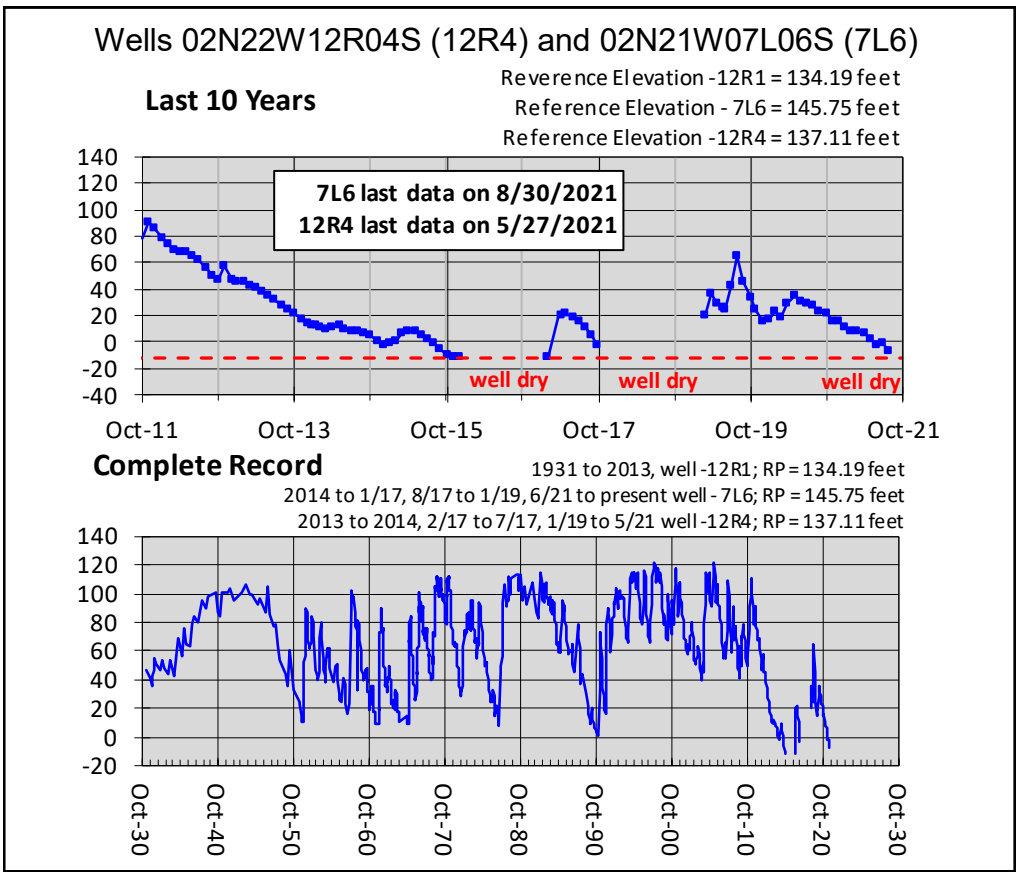
## Santa Paula Basin Key Well

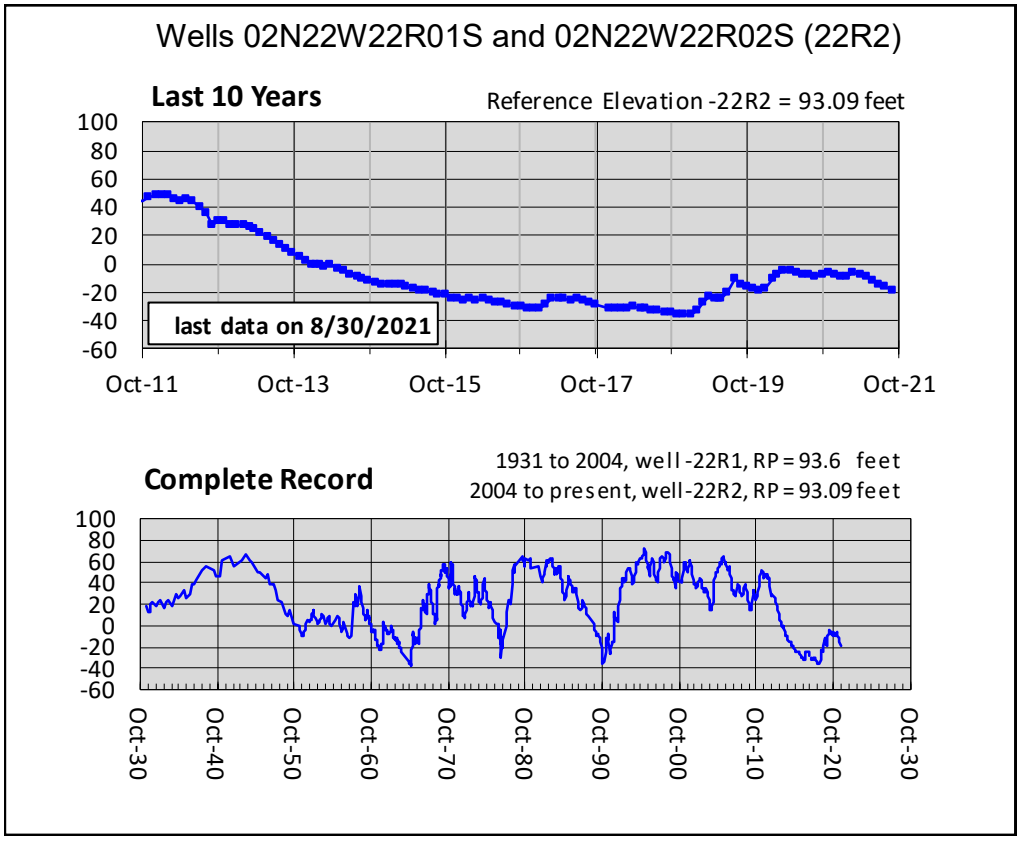



## Mound Basin Key Well

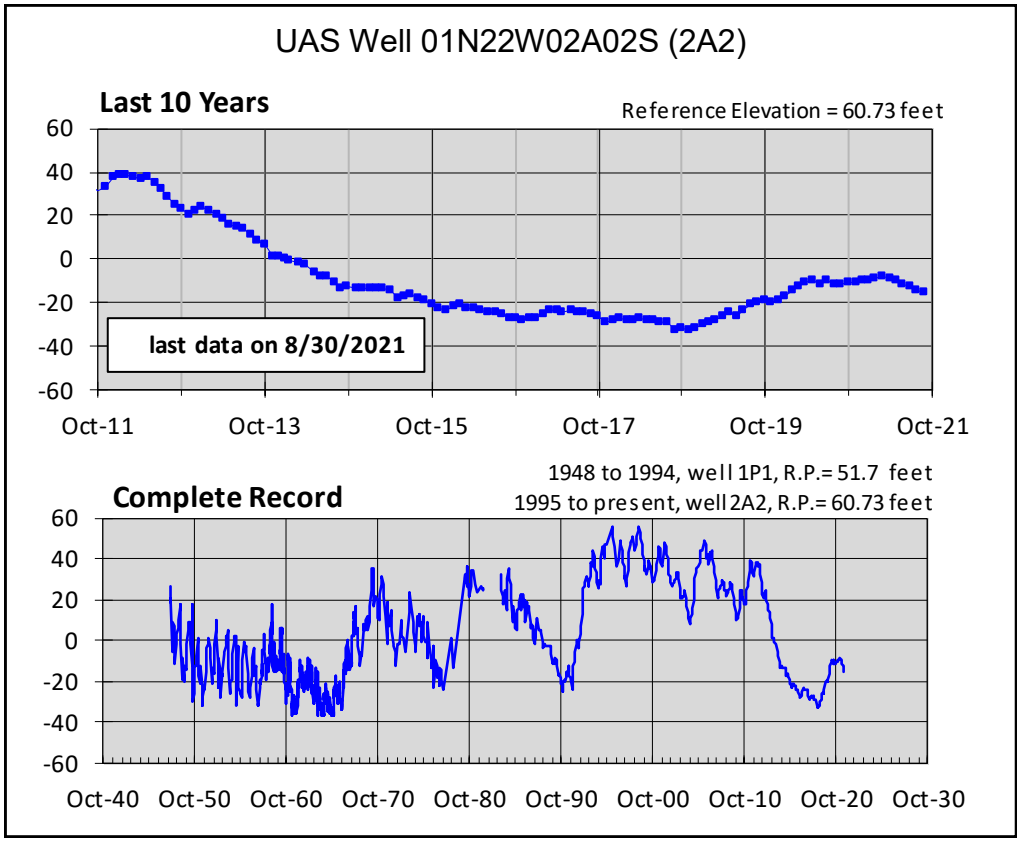


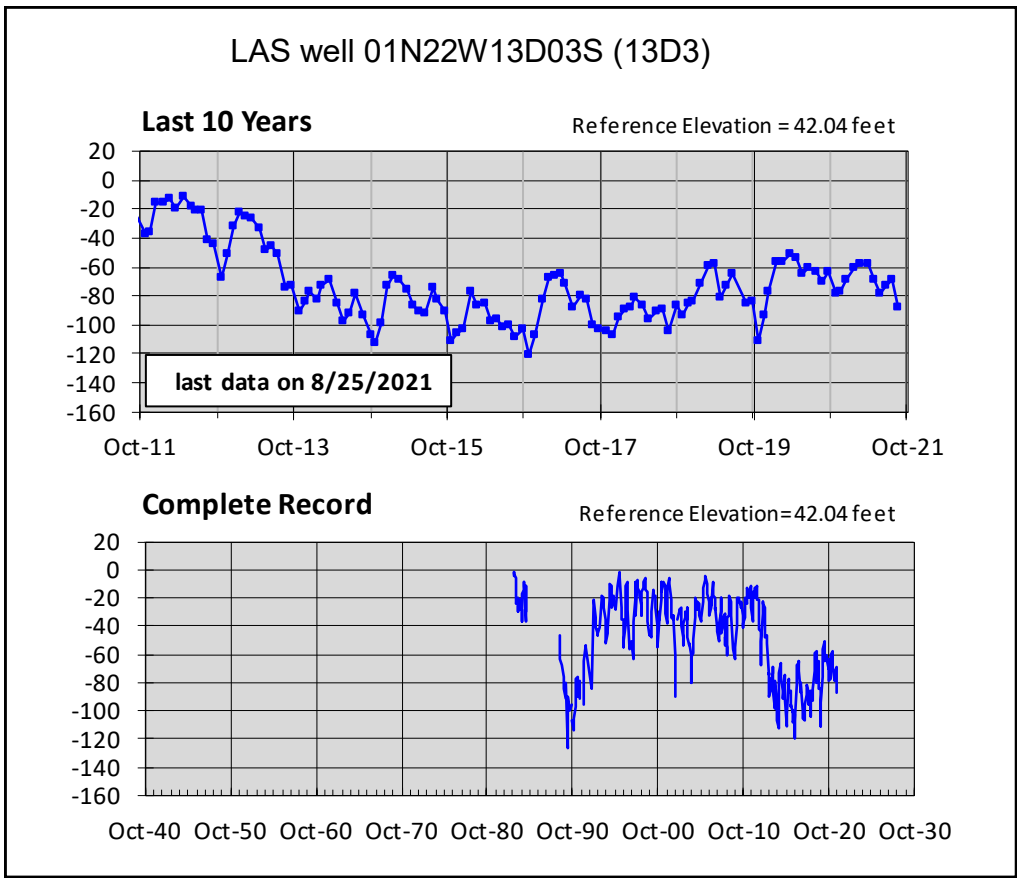
## Oxnard Basin—Forebay Key Wells
## Groundwater Elevation Records



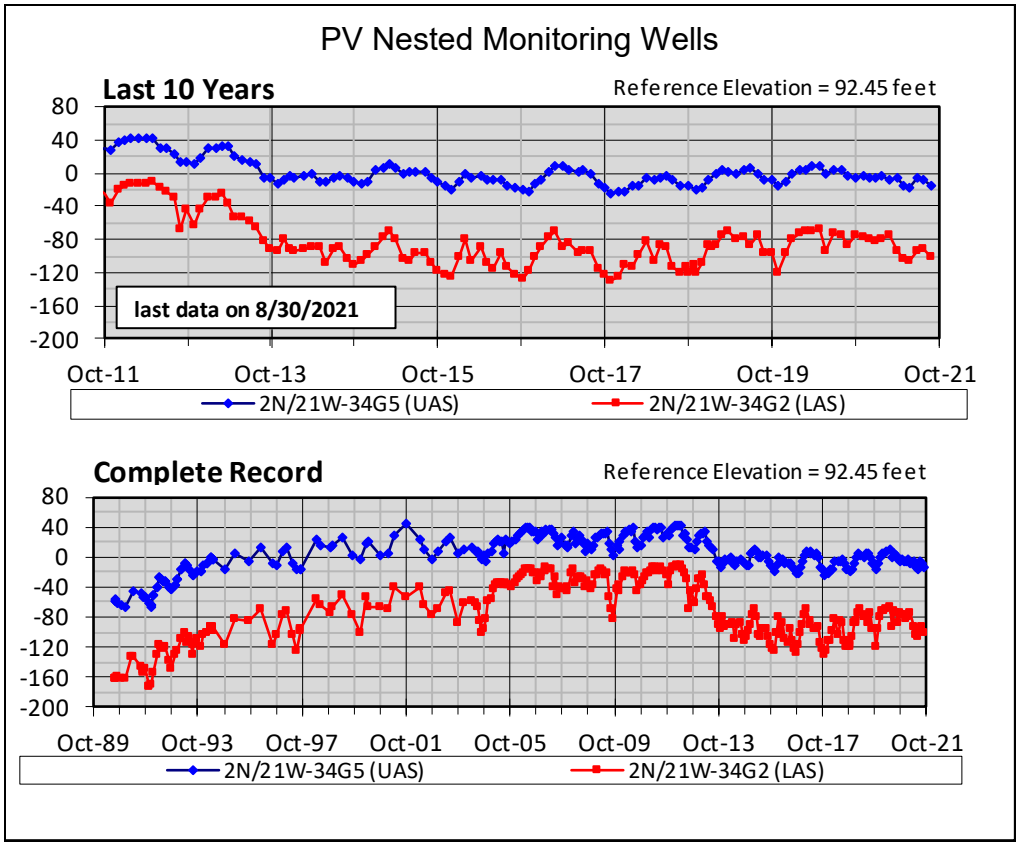



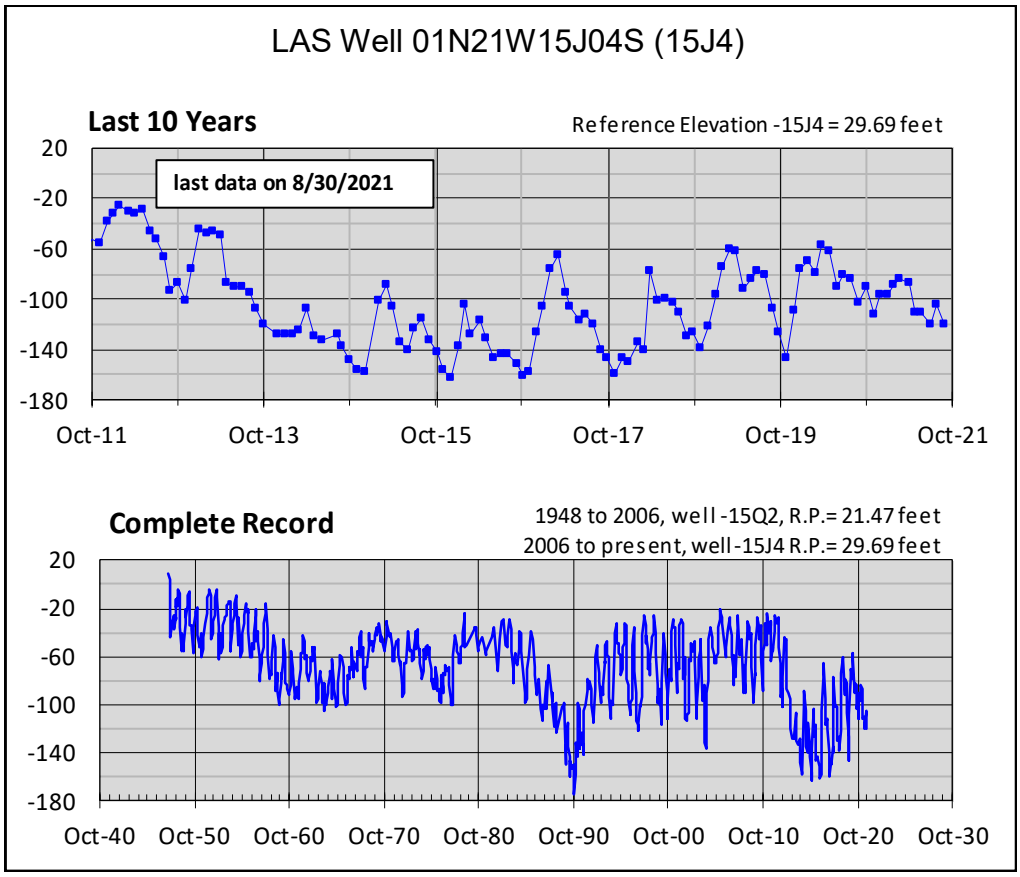
## Oxnard Basin Key Wells
## Groundwater Elevation Records



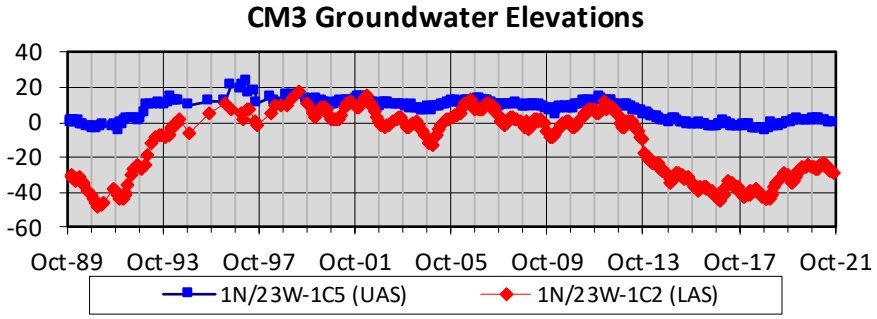



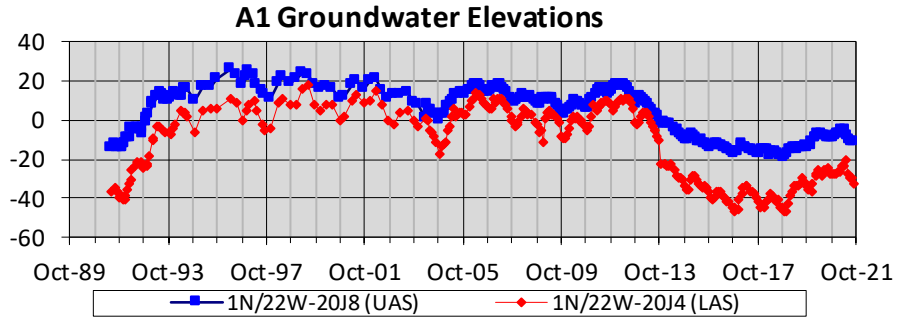
# Pleasant Valley Basin Key Wells
# Groundwater Elevation Records

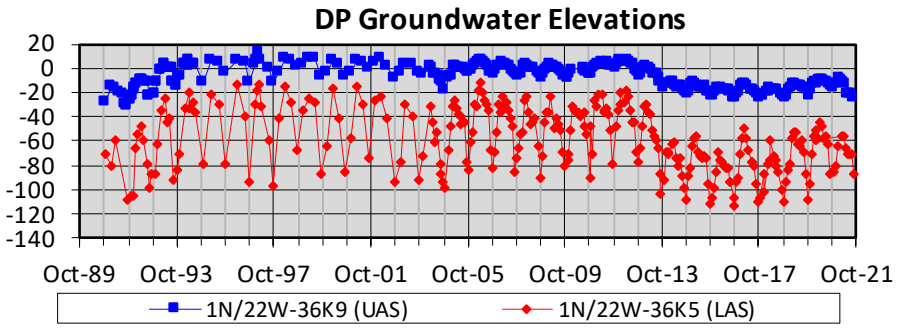


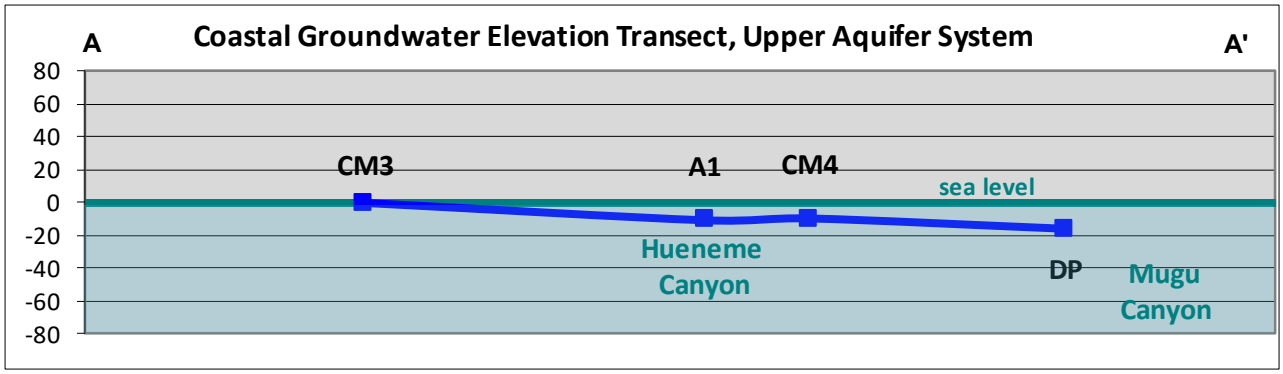
# Oxnard Plain Coastal Key Wells—Nested Monitoring Wells

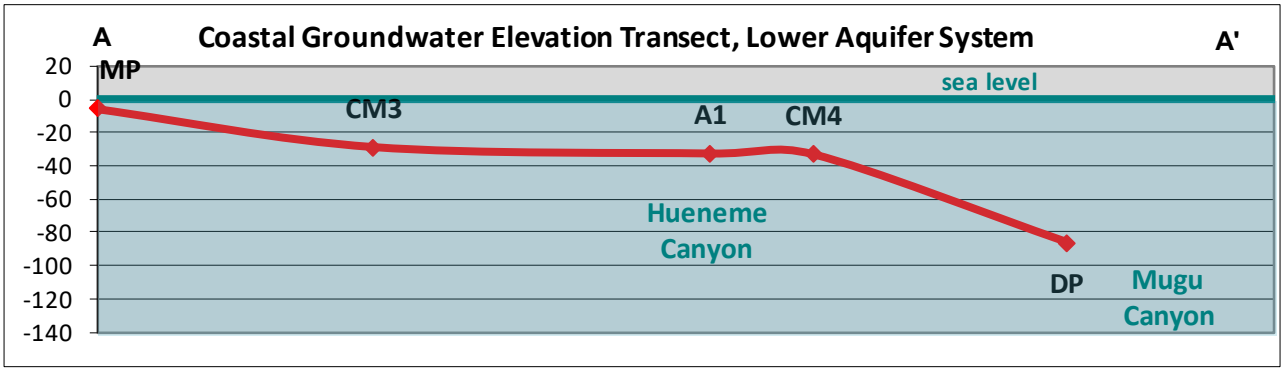






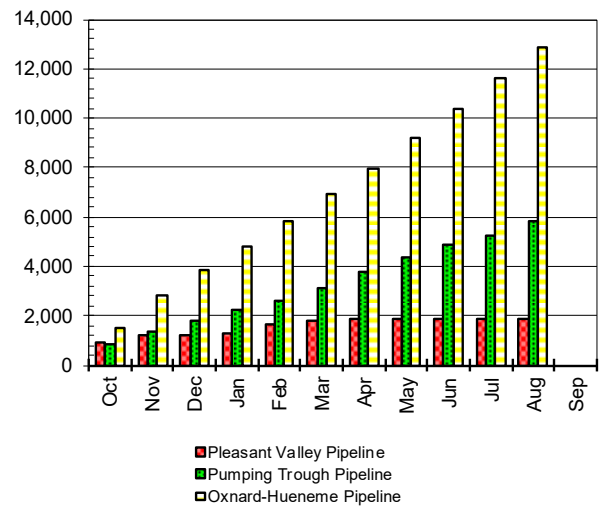
## Monthly Water Deliveries, acre-feet (Water Year 2020/21)

| | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| PV Pipeline (surface water) | 902.5 | 329.0 | 13.4 | 16.9 | 372.0 | 174.2 | 64.7 | 0.0 | 0.0 | 0.0 | 0.0 | |
| PV Pipeline (saticoy well field) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Total to Pleasant Valley Pipeline | 902.5 | 329.0 | 13.4 | 16.9 | 372.0 | 174.2 | 64.7 | 0.0 | 0.0 | 0.0 | 0.0 | |
| | | | | | | | | | | | | |
| Saticoy Well Field | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| PTP (surface water) | 783.7 | 422.6 | 483.9 | 390.7 | 410.6 | 473.4 | 459.5 | 343.1 | 55.2 | 0.0 | 0.0 | |
| PTP (groundwater) | 24.8 | 92.3 | 19.0 | 0.6 | 4.9 | 9.4 | 164.7 | 265.0 | 448.5 | 391.7 | 595.4 | |
| PTP (Saticoy well field) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Total PTP | 808.5 | 514.9 | 502.9 | 391.3 | 415.5 | 482.8 | 624.2 | 608.1 | 503.7 | 391.7 | 595.4 | |
| | | | | | | | | | | | | |
| O-H Pipeline (groundwater) | 1,503.0 | 1,296.0 | 1,063.0 | 936.0 | 1,012.0 | 1,107.4 | 1,003.3 | 1,276.3 | 1,187.0 | 1,233.4 | 1,260.0 | |
| | | | | | | | | | | | | |
| Total Surface Water Delivery (PTP & PV) | 1,686.2 | 751.6 | 497.3 | 407.6 | 782.6 | 647.6 | 524.2 | 343.1 | 55.2 | 0.0 | 0.0 | |
| Total Groundwater Delivery (OH & PTP) | 1,527.8 | 1,388.3 | 1,082.0 | 936.6 | 1,016.9 | 1,116.8 | 1,168.0 | 1,541.3 | 1,635.5 | 1,625.1 | 1,855.4 | |
| Total Delivery, Surface Water & GW | 3,214.0 | 2,139.9 | 1,579.3 | 1,344.2 | 1,799.5 | 1,764.4 | 1,692.2 | 1,884.4 | 1,690.7 | 1,625.1 | 1,855.4 | |

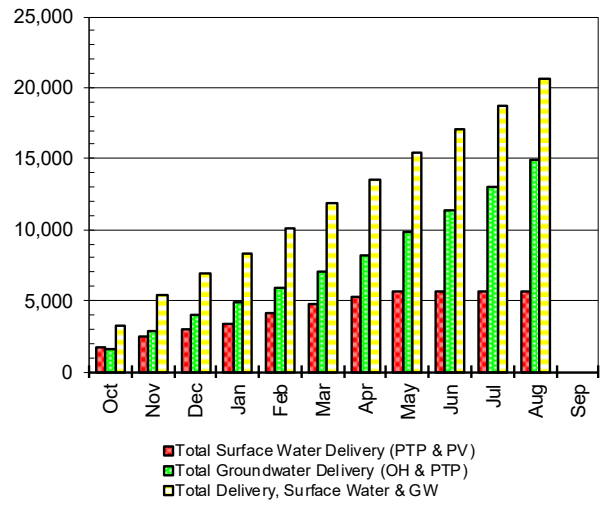
## Cumulative Water Deliveries, acre-feet (Water Year 2020/21)

| | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| PV Pipeline (surface water) | 902.5 | 1,231.5 | 1,244.9 | 1,261.7 | 1,633.7 | 1,807.9 | 1,872.6 | 1,872.6 | 1,872.6 | 1,872.6 | 1,872.6 | |
| PV Pipeline (saticoy well field) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Total to Pleasant Valley Pipeline | 902.5 | 1,231.5 | 1,244.9 | 1,261.7 | 1,633.7 | 1,807.9 | 1,872.6 | 1,872.6 | 1,872.6 | 1,872.6 | 1,872.6 | |
| | | | | | | | | | | | | |
| Saticoy Well Field | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| PTP (surface water) | 783.7 | 1,206.3 | 1,690.2 | 2,080.9 | 2,491.5 | 2,964.9 | 3,424.4 | 3,767.5 | 3,822.7 | 3,822.7 | 3,822.7 | |
| PTP (groundwater) | 24.8 | 117.1 | 136.1 | 136.7 | 141.6 | 151.0 | 315.7 | 580.7 | 1,029.2 | 1,420.9 | 2,016.3 | |
| PTP (Saticoy well field) | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | |
| Total PTP | 808.5 | 1,323.4 | 1,826.3 | 2,217.6 | 2,633.1 | 3,115.9 | 3,740.1 | 4,348.2 | 4,851.9 | 5,243.6 | 5,839.0 | |
| | | | | | | | | | | | | |
| O-H Pipeline (groundwater) | 1,503.0 | 2,799.0 | 3,862.0 | 4,798.0 | 5,810.0 | 6,917.4 | 7,920.7 | 9,197.0 | 10,384.0 | 11,617.4 | 12,877.4 | |
| | | | | | | | | | | | | |
| Total Surface Water Delivery (PTP & PV) | 1,686.2 | 2,437.8 | 2,935.1 | 3,342.6 | 4,125.2 | 4,772.8 | 5,297.0 | 5,640.1 | 5,695.3 | 5,695.3 | 5,695.3 | |
| Total Groundwater Delivery (OH & PTP) | 1,527.8 | 2,916.1 | 3,998.1 | 4,934.7 | 5,951.6 | 7,068.4 | 8,236.4 | 9,777.7 | 11,413.2 | 13,038.3 | 14,893.7 | |
| Total Delivery, Surface Water & GW | 3,214.0 | 5,353.9 | 6,933.2 | 8,277.4 | 10,076.9 | 11,841.3 | 13,533.5 | 15,417.9 | 17,108.6 | 18,733.7 | 20,589.1 | |

### Cumulative deliveries by system




### Cumulative deliveries by source/type



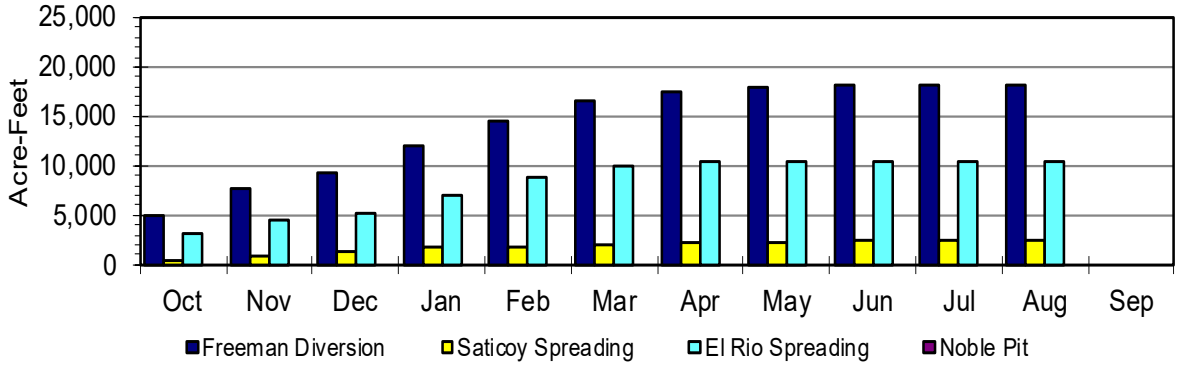
## Monthly diversion and recharge totals by facility, 2020/21, in acre-feet

| Month | Piru Spreading | Freeman Diversion | Saticoy Spreading | El Rio Spreading | Noble Pit |
|---|---|---|---|---|---|
| Oct | 0 | 5,073 | 365 | 3,155 | 0 |
| Nov | 0 | 2,661 | 612 | 1,366 | 0 |
| Dec | 0 | 1,477 | 392 | 634 | 0 |
| Jan | 0 | 2,703 | 374 | 1,960 | 0 |
| Feb | 0 | 2,620 | 47 | 1,798 | 0 |
| Mar | 0 | 2,007 | 331 | 1,092 | 0 |
| Apr | 0 | 876 | 74 | 317 | 0 |
| May | 0 | 515 | 34 | 91 | 0 |
| Jun | 0 | 235 | 143 | 0 | 0 |
| Jul | 0 | 9 | 9 | 0 | 0 |
| Aug | 0 | 0 | 0 | 0 | 0 |
| Sep | | | | | |

## Cumulative diversion and recharge totals by facility, 2020/21, in acre-feet

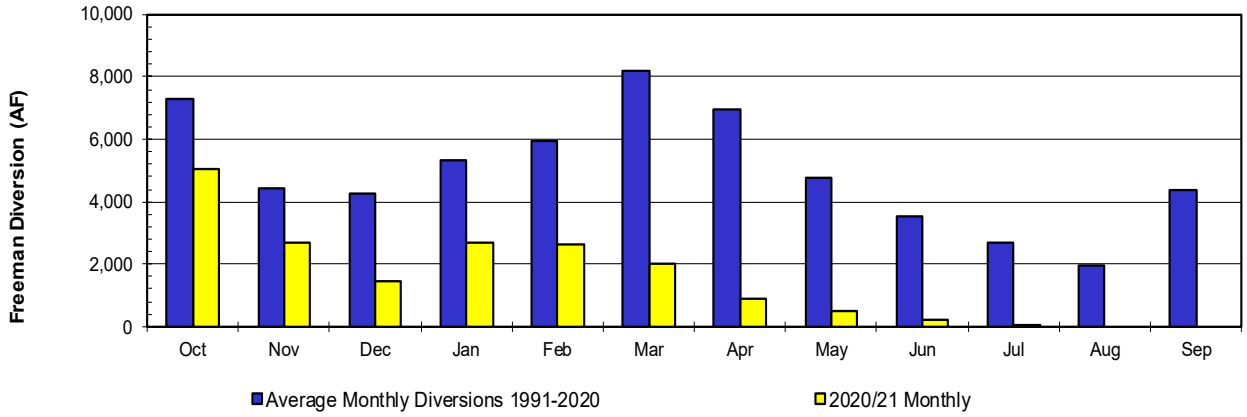
| Month | Piru Spreading | Freeman Diversion | Saticoy Spreading | El Rio Spreading | Noble Pit |
|---|---|---|---|---|---|
| Oct | 0 | 5,073 | 365 | 3,155 | 0 |
| Nov | 0 | 7,734 | 977 | 4,521 | 0 |
| Dec | 0 | 9,211 | 1,369 | 5,155 | 0 |
| Jan | 0 | 11,914 | 1,743 | 7,115 | 0 |
| Feb | 0 | 14,534 | 1,790 | 8,913 | 0 |
| Mar | 0 | 16,541 | 2,121 | 10,005 | 0 |
| Apr | 0 | 17,417 | 2,195 | 10,322 | 0 |
| May | 0 | 17,932 | 2,229 | 10,413 | 0 |
| Jun | 0 | 18,167 | 2,372 | 10,413 | 0 |
| Jul | 0 | 18,176 | 2,381 | 10,413 | 0 |
| Aug | 0 | 18,176 | 2,381 | 10,413 | 0 |
| Sep | | | | | |

## Cumulative diversion at Freeman, and distribution to recharge facilities

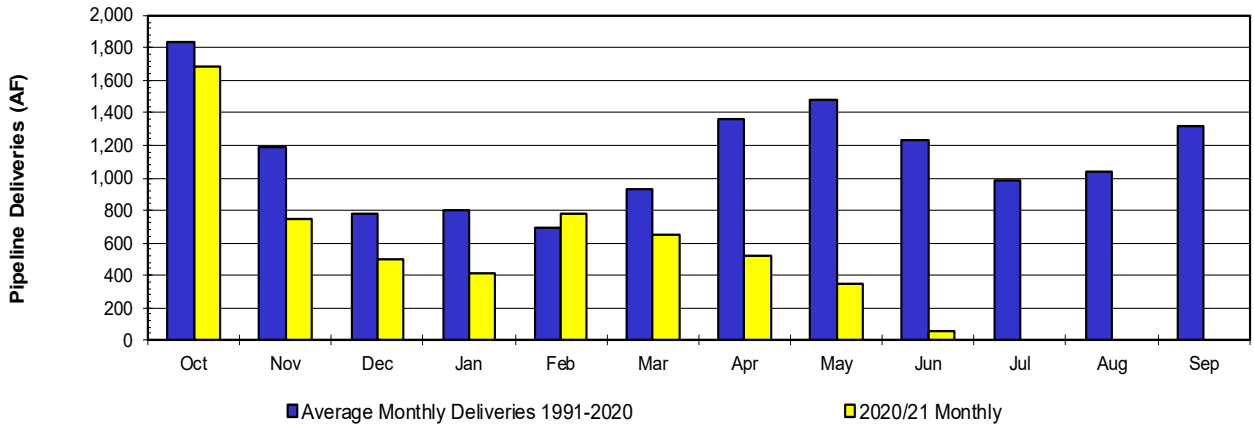



## Cumulative diversions to Piru Spreading Grounds, 2020/21 = 0 AF

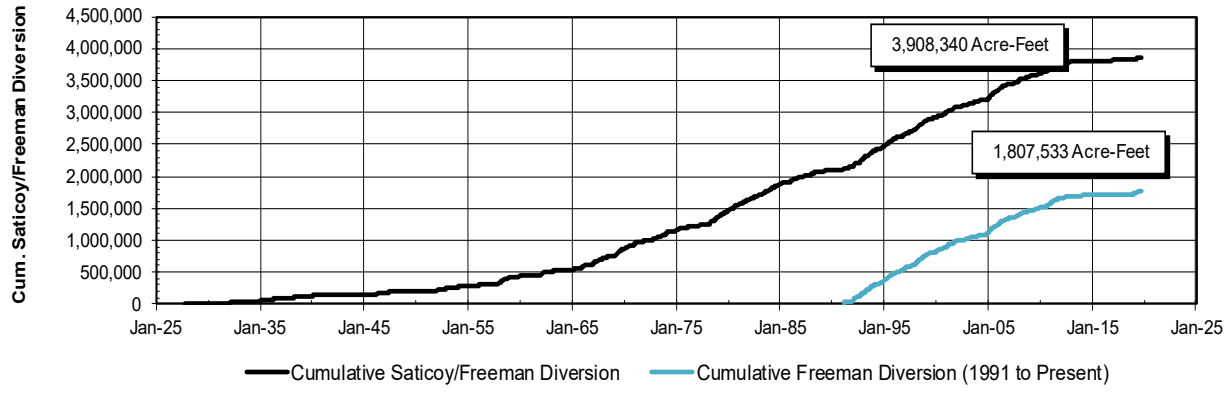
## Monthly 2020/21 diversion at Freeman, compared to average monthly diversions (1991-2020)



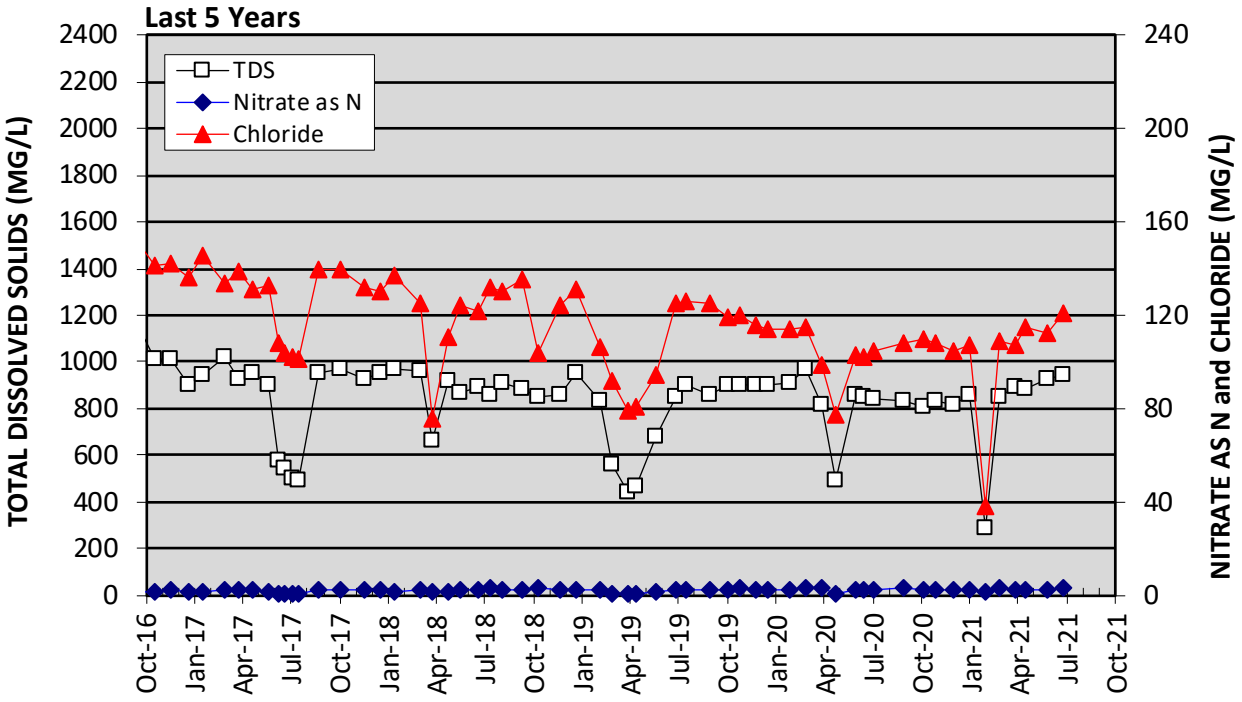

## Monthly 2020/21 pipeline deliveries (surface water deliveries), compared to average monthly pipeline deliveries (1991-2020)



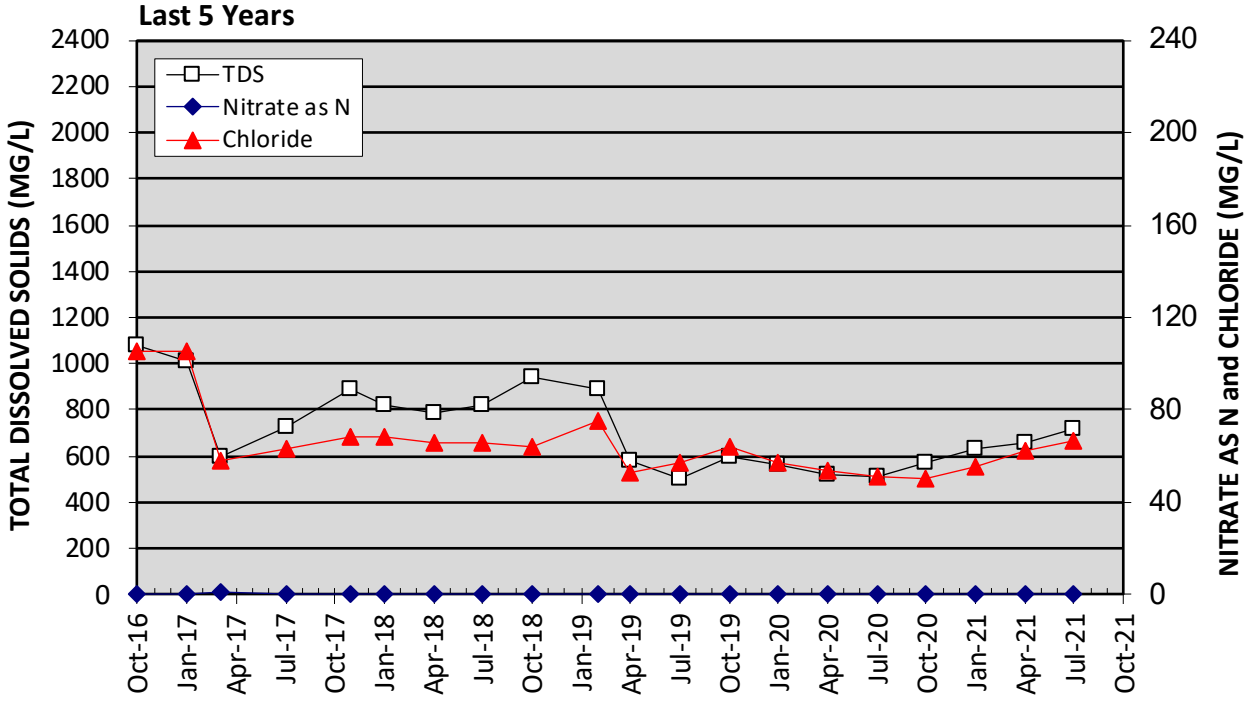

## Cumulative diversion at Saticoy and Freeman Diversion, in acre-feet



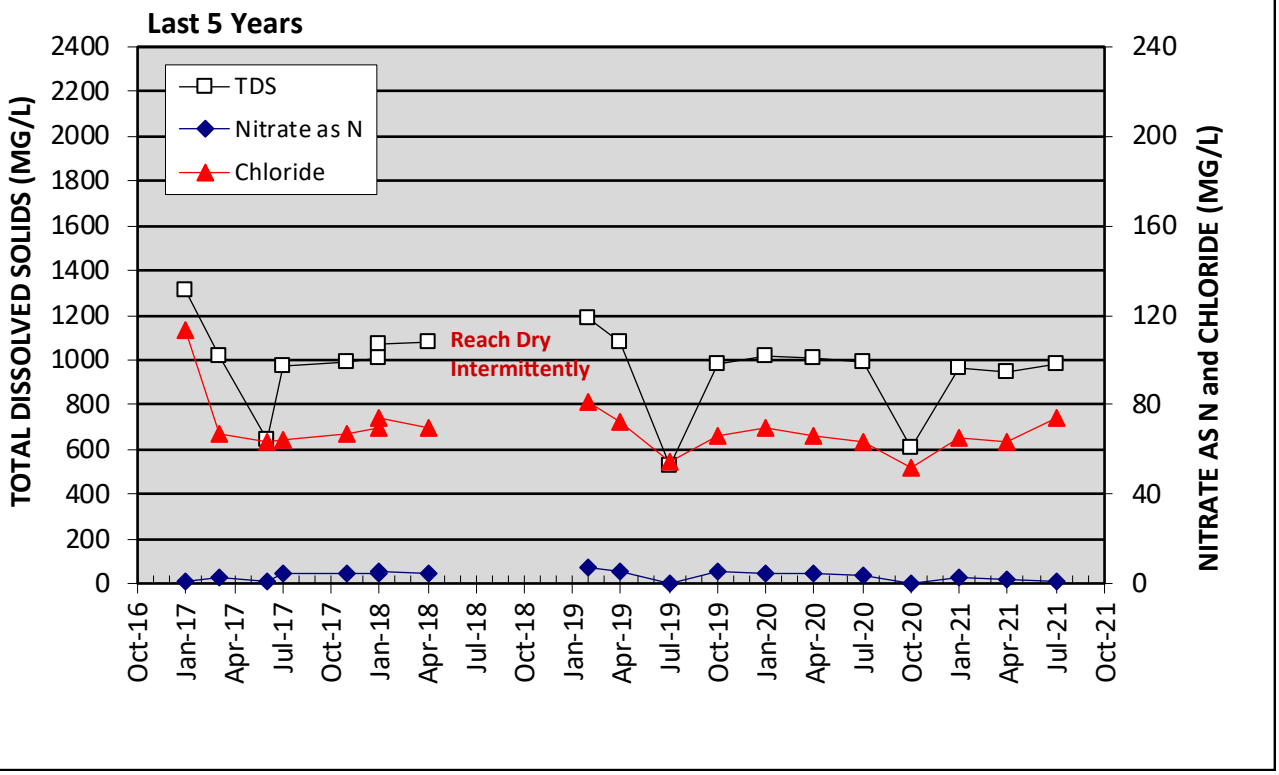
## Santa Clara River water quality near Los Angeles/Ventura County line



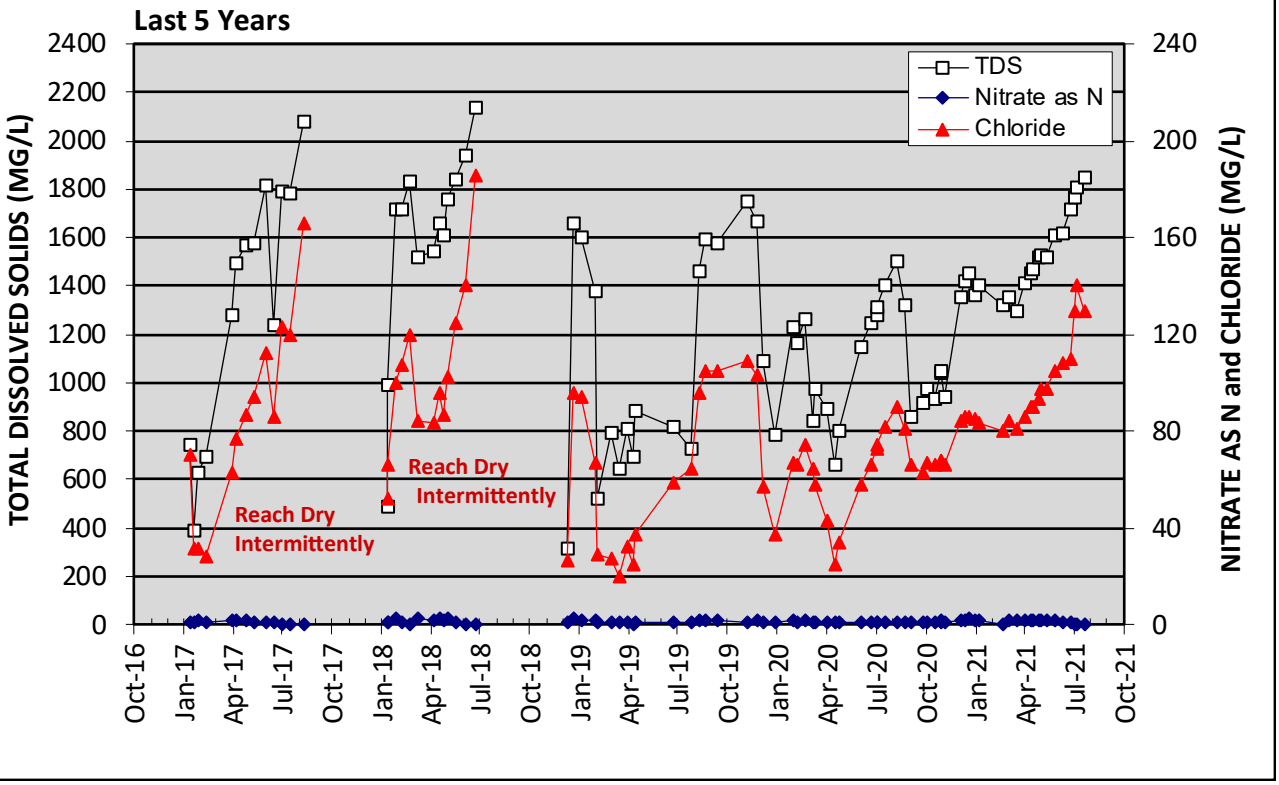

## Piru Creek water quality below Santa Felicia Dam

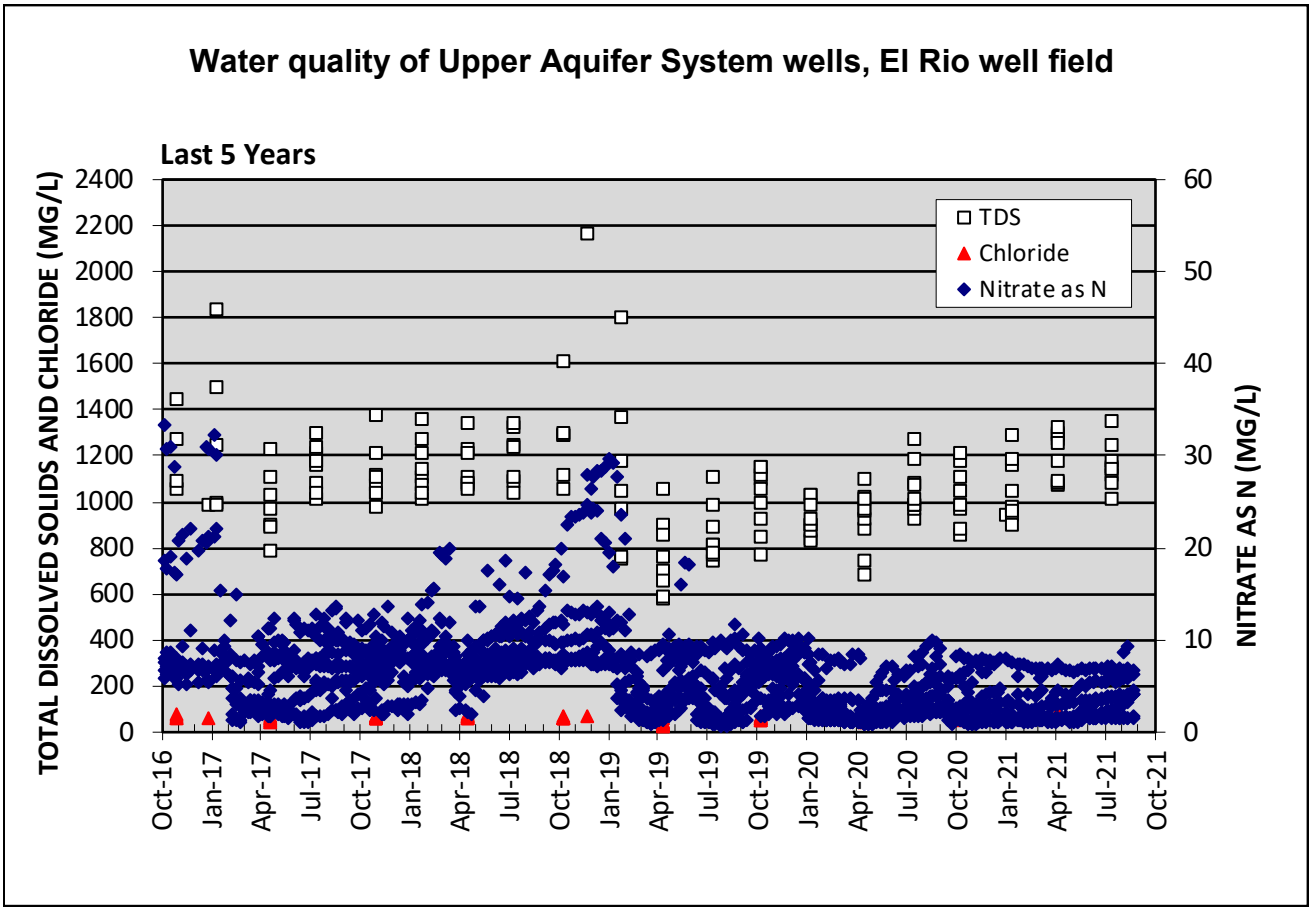


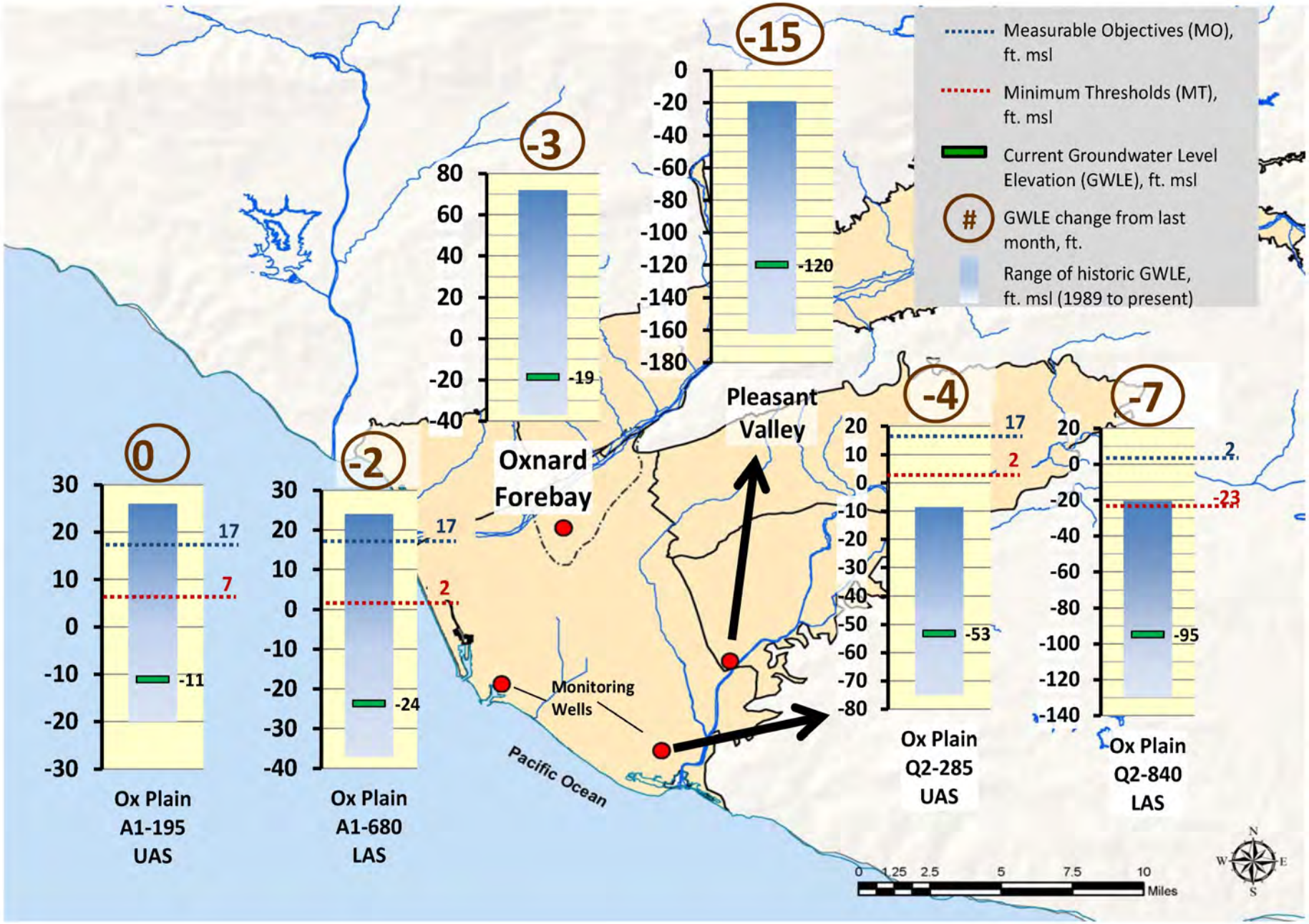
## Santa Clara River water quality near Fillmore Fish Hatchery

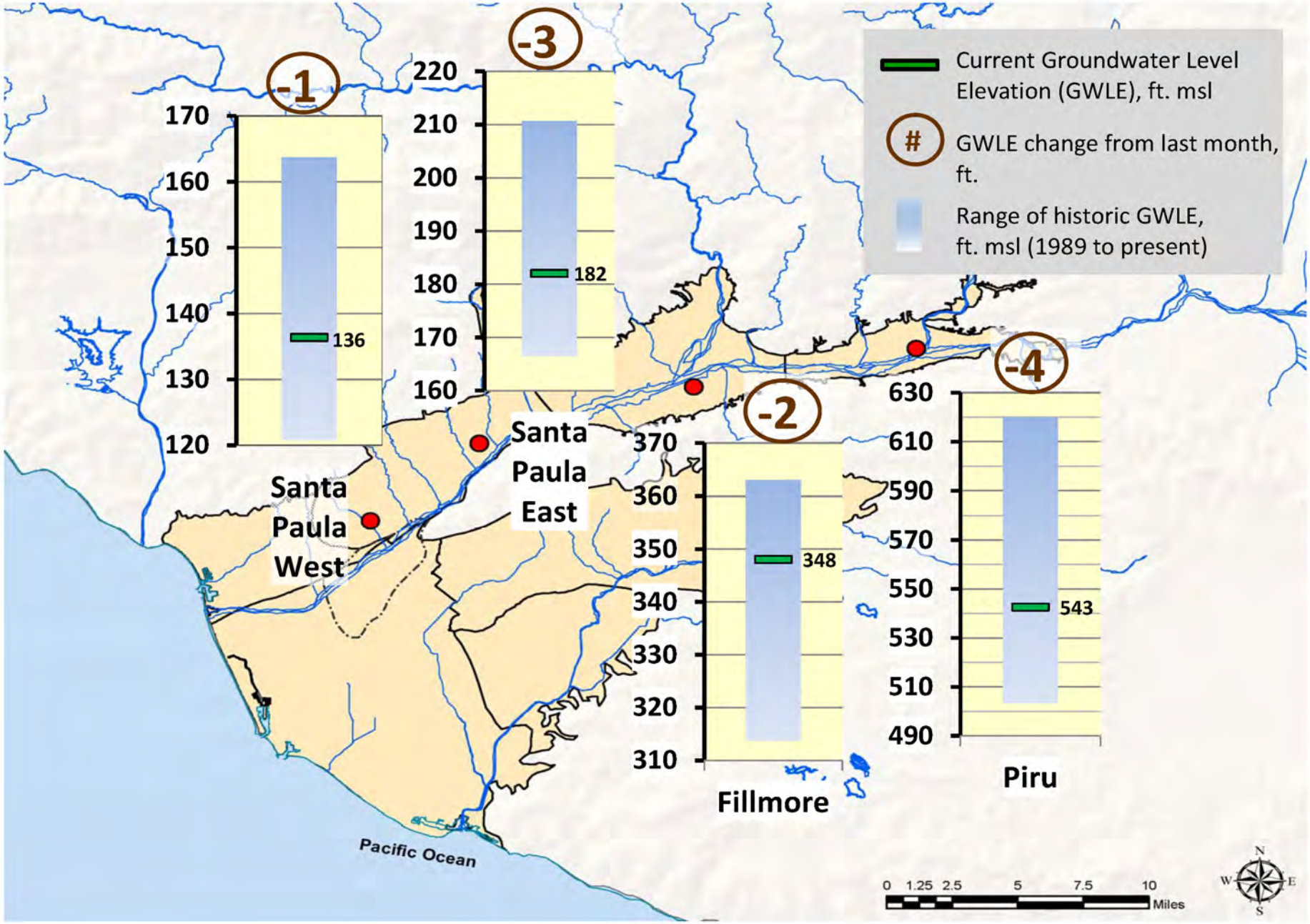


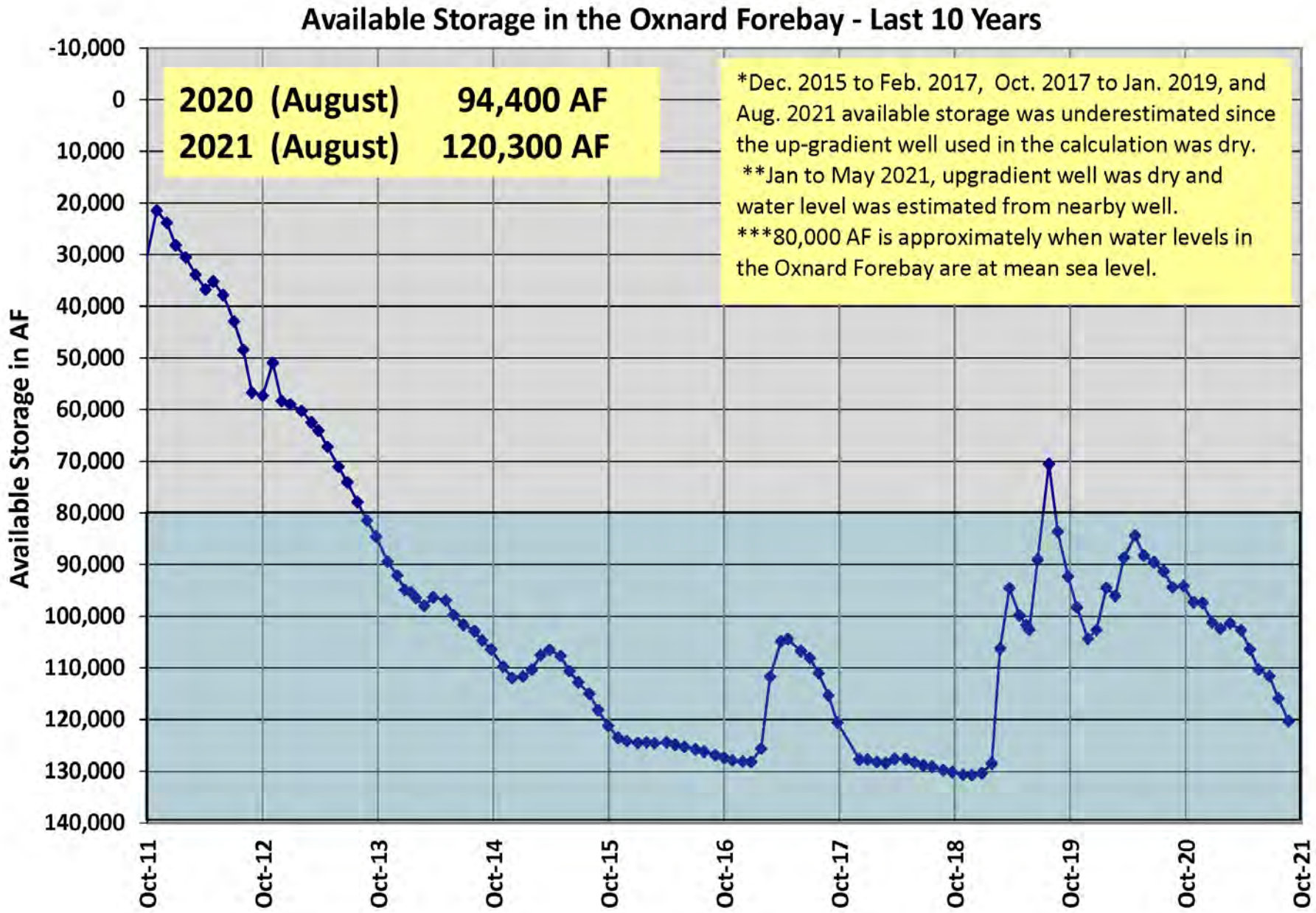

## Santa Clara River water quality at Freeman Diversion

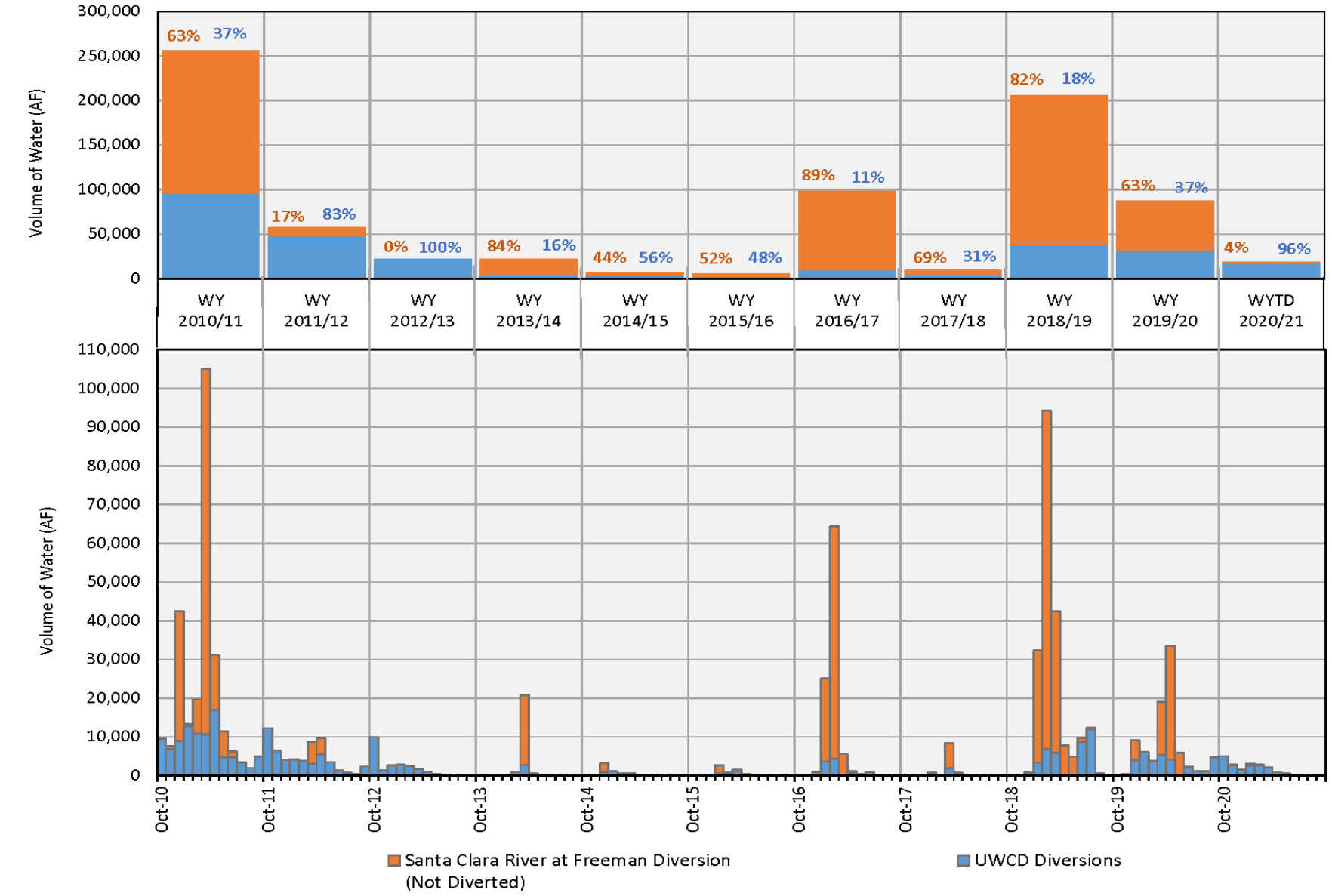



Water quality of Upper Aquifer System wells, El Rio well field
Last 5 Years
TOTAL DISSOLVED SOLIDS AND CHLORIDE (MG/L)
NITRATE AS N (MG/L)
TDS
Chloride
Nitrate as N
2400
2200
2000
1800
1600
1400
1200
1000
800
600
400
200
0
60
50
40
30
20
10
0
Oct-16
Jan-17
Apr-17
Jul-17
Oct-17
Jan-18
Apr-18
Jul-18
Oct-18
Jan-19
Apr-19
Jul-19
Oct-19
Jan-20
Apr-20
Jul-20
Oct-20
Jan-21
Apr-21
Jul-21
Oct-21


Measurable Objectives (MO), ft. msl
Minimum Thresholds (MT), ft. msl
Current Groundwater Level Elevation (GWLE), ft. msl
# GWLE change from last month, ft.
Range of historic GWLE, ft. msl (1989 to present)
-15
-120
-3
-19
0
-11
17
7
-2
-24
17
2
Oxnard Forebay
Pleasant Valley
-4
-53
17
2
-7
-95
2
-23
Monitoring Wells
Pacific Ocean
Ox Plain A1-195 UAS
Ox Plain A1-680 LAS
Ox Plain Q2-285 UAS
Ox Plain Q2-840 LAS
0 1.25 2.5 5 7.5 10
Miles
N
W
E
S


-1
170
160
150
140
130
120
136
-3
220
210
200
190
180
170
160
182
-2
370
360
350
340
330
320
310
348
-4
630
610
590
570
550
530
510
490
543
Santa Paula West
Santa Paula East
Fillmore
Piru
Pacific Ocean
Current Groundwater Level Elevation (GWLE), ft. msl
# GWLE change from last month, ft.
Range of historic GWLE, ft. msl (1989 to present)
0 1.25 2.5 5 7.5 10
Miles
N
W
E
S


Available Storage in the Oxnard Forebay - Last 10 Years
2020 (August) 94,400 AF
2021 (August) 120,300 AF
*Dec. 2015 to Feb. 2017, Oct. 2017 to Jan. 2019, and Aug. 2021 available storage was underestimated since the up-gradient well used in the calculation was dry.
**Jan to May 2021, upgradient well was dry and water level was estimated from nearby well.
***80,000 AF is approximately when water levels in the Oxnard Forebay are at mean sea level.
Available Storage in AF
-10,000
0
10,000
20,000
30,000
40,000
50,000
60,000
70,000
80,000
90,000
100,000
110,000
120,000
130,000
140,000
Oct-11
Oct-12
Oct-13
Oct-14
Oct-15
Oct-16
Oct-17
Oct-18
Oct-19
Oct-20
Oct-21




Water Year (WY) = October 1 to September 30; WYTD = Water Year To Date

United Water
CONSERVATION DISTRICT

To: **UWCD Board of Directors**

Through: Mauricio E. Guardado, Jr., General Manager
Anthony A. Emmert, Assistant General Manager

From: Joseph Jereb, Chief Financial Officer

Date: August 26, 2021 (September 8, 2021, meeting)

Agenda Item: **3.C-Monthly (June 30, 2021, and July 31, 2021) Investment Reports**
**Information Item**

**Recommendation**
The Board will review and discuss the most current investment reports for June 30, 2021, and July 31, 2021, that are enclosed.

**Fiscal Impact**
As shown.

**Discussion**
Based on the information included in the attached reports, staff will present a summary and discuss key information as an overview.

Attachments: Combined Investment Reports

# United Water Conservation District
## Monthly Investment Report
### June 30, 2021

| Investment Recap | G/L Balance | Weighted Avg Days to Maturity | Diversification Percentage of Total |
|---|---|---|---|
| Bank of the Sierra | 2,046,318 | 1 | 4.25% |
| Union Bank - 2020 COP Bond Balance | 19,006,812 | 1 | 39.43% |
| Petty Cash | 3,400 | 1 | 0.01% |
| County Treasury | 1,644 | 1 | 0.00% |
| LAIF Investments | 27,141,128 | 1 | 56.30% |
| **Total Cash, Cash Equivalents and Securities** | **48,199,303** | | **100.00%** |
| **Investment Portfolio w/o Trustee Held Funds** | **48,199,303** | | |
| **Trustee Held Funds** | - | | |
| **Total Funds** | **48,199,303** | | |

| Local Agency Investment Fund (LAIF) | Beginning Balance | Deposits (Disbursements) | Ending Balance |
|---|---|---|---|
| | 27,141,128 | - | 27,141,128 |
| | **Interest Earned YTD** | **Interest Received YTD** | **Qtrly Yield** |
| | 154,847 | 232,467 | 0.44% |

All District investments are shown above and conform to the District's Investment Policy. All investment transactions during this period are included in this report
Based on budgeted cash flows the District appears to have the ability to meet its expenditure requirements for the next six months.

DocuSigned by:
Mauricio Guardado
36D23E9D982745E...

**Mauricio E. Guardado, Jr., General Manager** — 8/30/2021 — **Date Certified**

DocuSigned by:
70D59ECE0D8D46E...

**Anthony Emmert, Assistant General Manager** — 8/30/2021 — **Date Certified**

On behalf of Joseph Jereb

DocuSigned by:
C90D61B430034D1...

**Joseph Jereb, Chief Financial Officer** — 8/30/2021 — **Date Certified**

# *United Water Conservation District*

## *Cash Position*

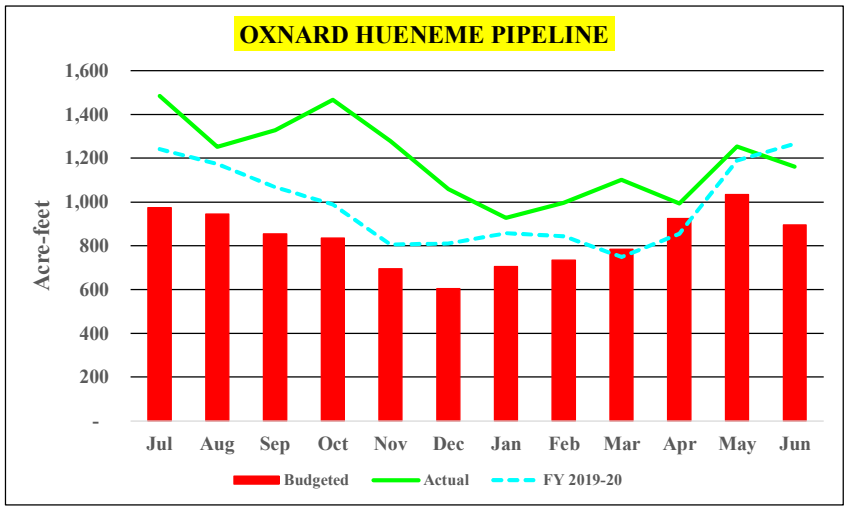
**June 30, 2021**

| Fund | Total | Composition | Restrictions/Designations |
|---|---|---|---|
| **General/Water Conservation Fund:** | | | **Revenue collected for district operations** |
| General/Water Conservation | 12,499,974 | 3,992,285 | Includes General, Rec & Ranger, Water Conservation |
| | | 1,725,000 | Reserved for legal expenditures |
| | | 5,435,000 | Designated for replacement, capital improvements, and environmental projects |
| | | 1,347,689 | Supplemental Water Purchase Fund |
| General CIP Funds | 4,119,409 | 4,119,409 | Appropriated for capital projects |
| 2020 COP Bond Funds | 13,802,371 | 13,802,371 | Reserved for CIP Projects |
| **Special Revenue Funds:** | | | **Revenue collected for a special purpose** |
| State Water Project Funds | 3,618,017 | 3,618,017 | Procurement of water/rights from state water project |
| **Enterprise Funds:** | | | **Restricted to fund usage** |
| Freeman Fund | (510,857) | (510,857) | Operations, Debt Service and Capital Projects |
| | | - | Designated for replacement and capital improvements |
| | | - | Reserved for legal expenditures |
| Freeman CIP Fund | 3,315,102 | 3,315,102 | Appropriated for capital projects |
| OH Pipeline Fund | 2,681,136 | 2,681,136 | Delivery of water to OH customers |
| OH CIP Fund | 5,107,627 | 5,107,627 | Appropriated for capital projects |
| OH Pipeline Well Replacement Fund | 557,199 | 557,199 | Well replacement fund |
| PV Pipeline Fund | 597,182 | 597,182 | Delivery of water to PV customers |
| PV CIP Fund | 151,882 | 151,882 | Appropriated for capital projects |
| PT Pipeline Fund | 1,464,897 | 1,464,897 | Delivery of water to PTP customers |
| PT CIP Fund | 795,362 | 795,362 | Appropriated for capital projects |
| **Total District Cash & Investments** | **48,199,303** | **48,199,303** | |
| | - | - | |

# United Water Conservation District
# Pipeline Water Deliveries (Acre-feet)
# FY 2020-21 data thru June 30, 2021

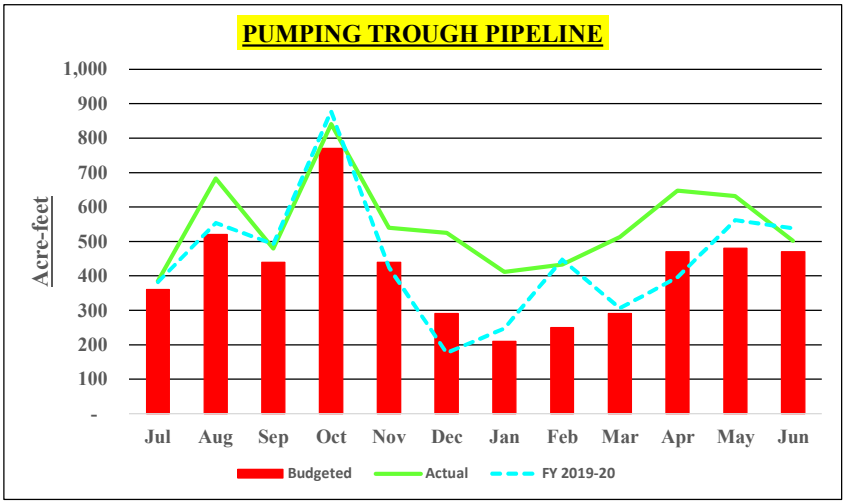
| | OH Pipeline 20-21 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | 975 | 1,484 | 509 |
| Aug | 945 | 1,252 | 307 |
| Sep | 855 | 1,328 | 473 |
| Oct | 835 | 1,467 | 632 |
| Nov | 695 | 1,278 | 583 |
| Dec | 605 | 1,059 | 454 |
| Jan | 705 | 927 | 222 |
| Feb | 735 | 996 | 261 |
| Mar | 785 | 1,101 | 316 |
| Apr | 925 | 993 | 68 |
| May | 1,035 | 1,254 | 219 |
| Jun | 895 | 1,162 | 267 |
| Totals | 9,990 | 14,301 | 4,311 |
| | | | |
| **YTD** | **9,990** | **14,301** | **4,311** |

**YTD Actual to Budget: 43.2%**

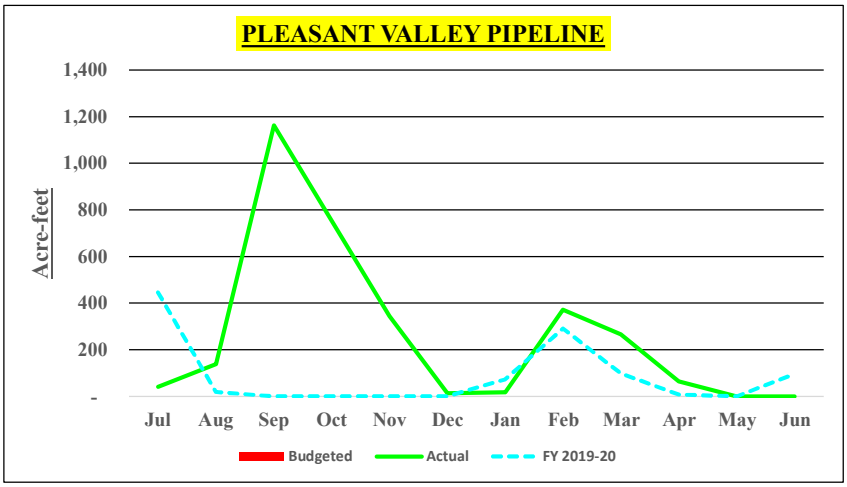



| | PT Pipeline 2020-21 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | 360 | 385 | 25 |
| Aug | 520 | 683 | 163 |
| Sep | 440 | 480 | 40 |
| Oct | 770 | 841 | 71 |
| Nov | 440 | 540 | 100 |
| Dec | 290 | 525 | 235 |
| Jan | 210 | 411 | 201 |
| Feb | 250 | 433 | 183 |
| Mar | 290 | 513 | 223 |
| Apr | 470 | 648 | 178 |
| May | 480 | 632 | 152 |
| Jun | 470 | 502 | 32 |
| Totals | 4,990 | 6,593 | 1,603 |
| | | | |
| **YTD** | **4,990** | **6,593** | **1,603** |

**YTD Actual to Budget: 32.1%**




| | PV Pipeline 2020-21 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | - | 41 | 41 |
| Aug | - | 138 | 138 |
| Sep | - | 1,163 | 1,163 |
| Oct | - | 752 | 752 |
| Nov | - | 344 | 344 |
| Dec | - | 13 | 13 |
| Jan | - | 17 | 17 |
| Feb | - | 372 | 372 |
| Mar | - | 266 | 266 |
| Apr | - | 65 | 65 |
| May | - | - | - |
| Jun | - | - | - |
| Totals | - | 3,171 | 3,171 |
| | | | |
| **YTD** | **-** | **3,171** | **3,171** |



# United Water Conservation District
## Monthly Investment Report
### July 31, 2021

| Investment Recap | G/L Balance | Weighted Avg Days to Maturity | Diversification Percentage of Total |
|---|---|---|---|
| Bank of the Sierra | 5,047,758 | 1 | 9.85% |
| Union Bank - 2020 COP Bond Balance | 19,006,968 | 1 | 37.11% |
| Petty Cash | 3,400 | 1 | 0.01% |
| County Treasury | 1,644 | 1 | 0.00% |
| LAIF Investments | 27,164,382 | 1 | 53.02% |
| **Total Cash, Cash Equivalents and Securities** | **51,224,153** | | **100.00%** |
| **Investment Portfolio w/o Trustee Held Funds** | **51,224,153** | | |
| **Trustee Held Funds** | - | | |
| **Total Funds** | **51,224,153** | | |

| Local Agency Investment Fund (LAIF) | Beginning Balance | Deposits (Disbursements) | Ending Balance |
|---|---|---|---|
| | 27,141,128 | 23,254 | 27,164,382 |
| | **Interest Earned YTD** | **Interest Received YTD** | **Qtrly Yield** |
| | - | 23,254 | 0.33% |

All District investments are shown above and conform to the District's Investment Policy. All investment transactions during this period are included in this report
Based on budgeted cash flows the District appears to have the ability to meet its expenditure requirements for the next six months.

DocuSigned by:
Mauricio Guardado
36D23F9D982745E...

**Mauricio E. Guardado, Jr., General Manager** — 8/30/2021 — **Date Certified**

DocuSigned by:
70D59ECF0D8D46E...

**Anthony Emmert, Assistant General Manager** — 8/30/2021 — **Date Certified**

On behalf of
Joseph Jereb

DocuSigned by:
C90D61B430034D1...

**Joseph Jereb, Chief Financial Officer** — 8/30/2021 — **Date Certified**

# *United Water Conservation District*

## *Cash Position*

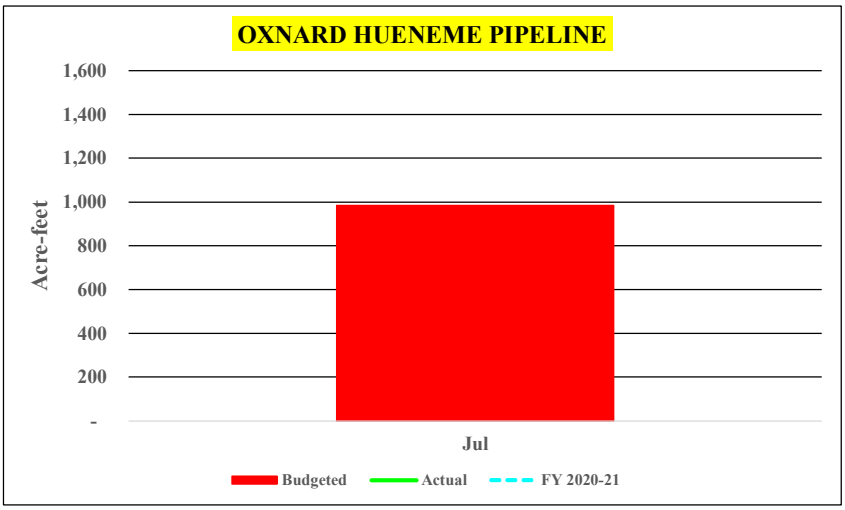
**July 31, 2021**

| Fund | Total | Composition | Restrictions/Designations |
|---|---|---|---|
| **General/Water Conservation Fund:** | | | **Revenue collected for district operations** |
| General/Water Conservation | 16,848,132 | 8,327,363 | Includes General, Rec & Ranger, Water Conservation |
| | | 1,725,000 | Reserved for legal expenditures |
| | | 5,435,000 | Designated for replacement, capital improvements, and environmental projects |
| | | 1,360,770 | Supplemental Water Purchase Fund |
| General CIP Funds | 3,803,248 | 3,803,248 | Appropriated for capital projects |
| 2020 COP Bond Funds | 13,802,528 | 13,802,528 | Reserved for CIP Projects |
| **Special Revenue Funds:** | | | **Revenue collected for a special purpose** |
| State Water Project Funds | 3,375,277 | 3,375,277 | Procurement of water/rights from state water project |
| **Enterprise Funds:** | | | **Restricted to fund usage** |
| Freeman Fund | (781,410) | (781,410) | Operations, Debt Service and Capital Projects |
| | | - | Designated for replacement and capital improvements |
| | | - | Reserved for legal expenditures |
| Freeman CIP Fund | 3,263,313 | 3,263,313 | Appropriated for capital projects |
| OH Pipeline Fund | 2,545,255 | 2,545,255 | Delivery of water to OH customers |
| OH CIP Fund | 5,034,285 | 5,034,285 | Appropriated for capital projects |
| OH Pipeline Well Replacement Fund | 514,592 | 514,592 | Well replacement fund |
| PV Pipeline Fund | 591,316 | 591,316 | Delivery of water to PV customers |
| PV CIP Fund | 151,882 | 151,882 | Appropriated for capital projects |
| PT Pipeline Fund | 1,296,973 | 1,296,973 | Delivery of water to PTP customers |
| PT CIP Fund | 778,760 | 778,760 | Appropriated for capital projects |
| **Total District Cash & Investments** | **51,224,153** | **51,224,153** | |
| | - | - | |

# United Water Conservation District
# Pipeline Water Deliveries (Acre-feet)
# FY 2021-2022 data thru July 30, 2021

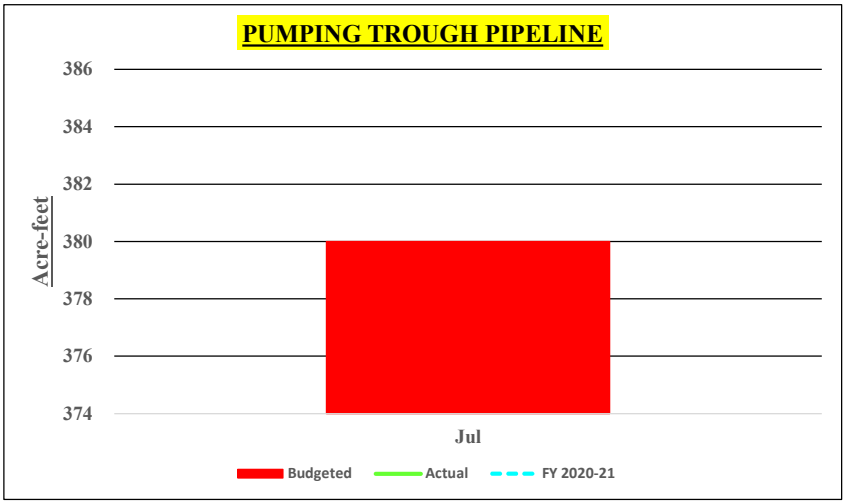
| | OH Pipeline 21-22 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | 985 | 1,206 | 221 |
| Aug | 885 | | |
| Sep | 835 | | |
| Oct | 795 | | |
| Nov | 725 | | |
| Dec | 645 | | |
| Jan | 715 | | |
| Feb | 645 | | |
| Mar | 625 | | |
| Apr | 755 | | |
| May | 915 | | |
| Jun | 1,955 | | |
| Totals | 10,480 | 1,206 | 221 |
| | | | |
| **YTD** | **985** | **1,206** | **221** |

**YTD Actual to Budget: 22.4%**



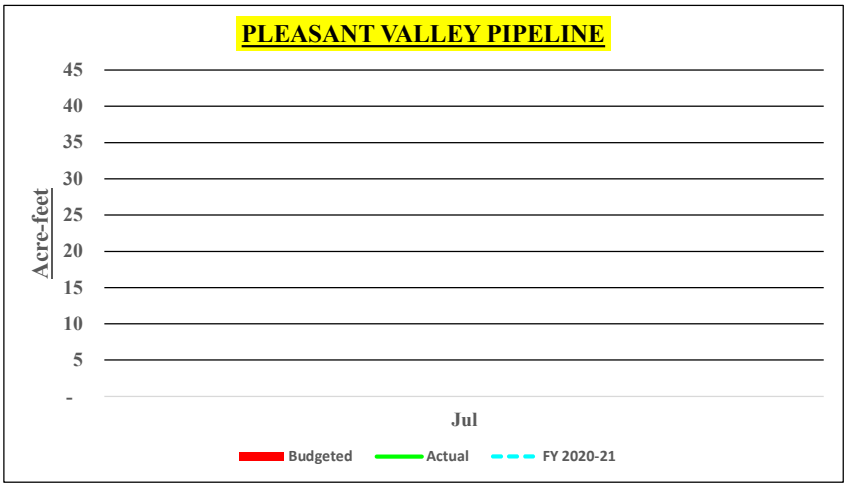

| | PT Pipeline 2021-22 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | 380 | 378 | (2) |
| Aug | 550 | | |
| Sep | 440 | | |
| Oct | 785 | | |
| Nov | 430 | | |
| Dec | 300 | | |
| Jan | 230 | | |
| Feb | 240 | | |
| Mar | 260 | | |
| Apr | 450 | | |
| May | 470 | | |
| Jun | 470 | | |
| Totals | 5,005 | 378 | (2) |
| | | | |
| **YTD** | **380** | **378** | **(2)** |

**YTD Actual to Budget: -0.5%**




| | PV Pipeline 2021-22 | | |
|---|---|---|---|
| | Projection | Actual | Difference |
| Jul | - | | |
| Aug | - | | |
| Sep | - | | |
| Oct | - | | |
| Nov | - | | |
| Dec | - | | |
| Jan | 400 | | |
| Feb | 400 | | |
| Mar | 100 | | |
| Apr | - | | |
| May | - | | |
| Jun | - | | |
| Totals | 900 | - | - |
| | | | |
| **YTD** | **-** | **-** | **-** |

**YTD Actual to Budget: 0.0%**



United Water CONSERVATION DISTRICT

# Staff Report

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager
Anthony A. Emmert, Assistant General Manager
Linda Purpus, Environmental Services Manager

**From:** Randall McInvale, Associate Environmental Scientist

**Date:** **August 24, 2021 (September 8, 2021 Meeting)**

**Agenda Item:** **4.1 Resolution 2021-17 Approving the California Environmental Quality Act (CEQA) Initial Study-Mitigated Negative Declaration (IS-MND) and issuance of the Notice of Determination (NOD) for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project**
**Motion**

---

**Staff Recommendation:**
The Board will consider approving Resolution 2021-17, a resolution of the United Water Conservation District approving and adopting the Initial Study-Mitigated Negative Declaration (IS-MND) and accompanying Mitigation Monitoring and Reporting Program (MMRP), approving the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (Project) and authorizing its implementation by the General Manager; and directing the General Manager to file a Notice of Determination in accordance with CEQA.

**Discussion:**
The District is the lead agency for the Project under CEQA. The proposed Project consists of the following exploration activities: collecting soil and rock core samples from approximately 13 borings along and adjacent to the existing Freeman Diversion facility, excavating six test pits at key locations; and conducting seismic refraction traverses. Additionally, one boring will define the depth of a landslide mass and install an inclinometer for monitoring potential movement of the landslide mass; and after the boreholes are drilled, two of the boreholes in upland areas would be converted to open standpipe piezometers for collecting groundwater level data and monitoring. The proposed geotechnical explorations would inform the design and construction of either fish passage facility alternative.

**Mission Goal:**
Meets Mission-Related Goal C, Regulatory & Environmental Compliance – Ensure long-term sustainability of all water sources within the District while complying with all regulations and District's existing and planned water supply, conveyance, and recharge systems meet regional needs, including emergency response and Goal B2., Develop and implement new infrastructure projects that maintain and improve water supply.

**4.1 Resolution 2021-17 Approving the California Environmental Quality Act (CEQA) Initial Study-Mitigated Negative Declaration (IS-MND) and issuance of the Notice of Determination (NOD) for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project**
**Motion**

**Fiscal Impact:**
The California Department of Fish and Wildlife environmental filing fee is $2,480.25 and the County Clerk and Recorder's Office filing fee for the CEQA NOE is $50.00 which is included in the Adopted Fiscal Year 2021-22 Budget under project account 421-400-81080; 8001-825.

**Attachments:**
Attachment A – Resolution 2021-17
Attachment B – Initial Study-Mitigated Negative Declaration
Attachment C – Mitigation Monitoring and Reporting Program
Attachment D – Notice of Determination

# RESOLUTION 2021-17

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UNITED WATER CONSERVATION DISTRICT MAKING CERTAIN FINDINGS AND DETERMINATIONS IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING REPORTING PROGRAM AND THE IMPLEMENTATION OF THE FREEMAN DIVERSION FISH PASSAGE FACILITY GEOTECHNICAL EXPLORATION PROJECT**

**WHEREAS,** the United Water Conservation District ("District") intends to conduct the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project ("Project") located in an unincorporated area of the County of Ventura near the community of Saticoy for the purpose of facilitating the engineering design for the alternative fish passage facility currently under development; and

**WHEREAS,** the California Environmental Quality Act of 1970, as amended ("CEQA") requires that, in the approval of a project for which a mitigated negative declaration ("MND") has been prepared, the decision-making body shall review the MND and make certain findings regarding the significant effects on the environment identified in the mitigated negative declaration; and

**WHEREAS,** such decision-making body in this case is the District's Board of Directors ("Board"); and

**WHEREAS,** the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project is the subject of a MND entitled "Initial Study Mitigated Negative Declaration Freeman Diversion Fish Passage Facility Geotechnical Exploration Project" (SCH # 2021050414), prepared by the District as lead agency under CEQA, in connection with implementation of the Freeman Diversion Rehabilitation Project; and

**WHEREAS,** the District published a Notice of Intent to adopt an Initial Study/MND in the *Ventura County Star* newspaper on May 20, 2021, and the draft MND was circulated to responsible agencies and other parties, including the County of Ventura and the State Clearinghouse and Planning Unit of the Governor's Office of Planning and Research; and

**WHEREAS,** the County of Ventura, the California Department of Transportation, and the California Department of Fish and Wildlife provided comments on the draft MND; and

**WHEREAS,** the MND concluded that implementation of the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project could result in

potentially significant effects on the environment, and further identified mitigation measures that would reduce any potentially significant effects to a less than significant level; and

**WHEREAS,** such mitigation measures are set forth in a Mitigation Monitoring and Reporting Program ("MMRP") prepared by the District, as lead agency, together with and as part of the MND; and

**WHEREAS,** with the incorporation and implementation of measures contained in the MMRP into the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project, any potentially significant effects on the environment arising from the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project will be reduced to a less than significant level; and

**WHEREAS,** the District Board of Directors hereby certifies that it has considered the proposed MND and MMRP and the information contained within, together with comments received thereto; and

**WHEREAS,** the MND and the MMRP for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project is hereby incorporated into this Resolution as if fully set forth herein;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNITED WATER CONSERVATION DISTRICT AS FOLLOWS:**

1. The District Board of Directors makes the following findings: (a) on the basis of the whole record before the Board (including the initial study, the MND together with the MMRP, comments received in connection thereto, and other information in the record), there is no substantial evidence that the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project will have a significant effect on the environment; (b) the MND together with the MMRP prepared for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project have been completed in compliance with CEQA and consistent with State CEQA Guidelines; (c) the Board has independently reviewed and analyzed the MND together with the MMRP, comments received thereto and other information in the record, prior to its approval of the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project and this Resolution; and (d) the MND together with the MMRP reflects the District's independent judgment and analysis as a lead agency.

**Resolution 2021-17**
**Cont.**

2. The Board hereby adopts the MND, together with the mitigation, monitoring and reporting measures contained in the MMRP, prepared for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project. The Board further designates the District's Environmental Services Manager at the District's office, located at 1701 N. Lombard Street, Suite 200, Oxnard, California 93030, as the custodian of documents and record of proceedings on which this decision is based.

3. The Board approves the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project and authorizes its implementation when deemed appropriate by the General Manager.

4. The Board authorizes and directs the District's Environmental Services Manager to file a Notice of Determination with the office of the Ventura County Clerk in accordance with the provisions of CEQA.

5. The foregoing recitals are true and correct and incorporated herein as if fully set forth.

**PASSED, APPROVED AND ADOPTED** this 8th day of September 2021.

ATTEST:_____
Michael W. Mobley, Board President

ATTEST:_____
Sheldon G. Berger, Board Secretary/Treasurer

# Initial Study/Proposed Mitigated Negative Declaration

## Freeman Diversion Fish Passage Facility Geotechnical Exploration Project

August 2021

Prepared for:

United Water Conservation District

Prepared by:

GEI Consultants

Consulting Engineers and Scientists

# Initial Study/Proposed Mitigated Negative Declaration

## Freeman Diversion Fish Passage Facility
## Geotechnical Exploration Project

Prepared for:

United Water Conservation District
1701 Lombard Street, Suite 200
Oxnard, CA 93030

Contact:

Randall McInvale
Associate Environmental Scientist
(805) 525-4431

Prepared by:

GEI Consultants
2868 Prospect Park Drive, Suite 400
Sacramento, CA 95670

Contact:

Nicholas Tomera
Senior Regulatory Specialist
(916) 214-1308

August 2021

Project No. 2005205

**NOTICE OF INTENT and NOTICE OF PUBLIC HEARING**
**TO ADOPT A MITIGATED NEGATIVE DECLARATION**
(Pursuant to CEQA Section 21092 and CEQA Guidelines Section 15072)
**FREEMAN DIVERSION FISH PASSAGE FACILITY**
**GEOTECHNICAL EXPLORATIONS PROJECT**

The United Water Conservation District (District) is proposing the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (proposed project or project) along the alignment of a future fish passage facility at the Freeman Diversion facility, located on the Santa Clara River approximately 4 miles southwest of the city center of Santa Paula, Ventura County, California The District is considering two alternatives for a new fish passage facility location at the Freeman Diversion facility: a hardened ramp and a vertical slot. The proposed geotechnical explorations would inform the design and construction of either fish passage facility alternative. The geotechnical field exploration is critical to the understanding of subsurface conditions.

The project consists of the following exploration activities: collecting soil and rock core samples from approximately 13 borings along and adjacent to the existing Freeman Diversion facility, excavating six test pits at key locations; and conducting seismic refraction traverses. Additionally, one boring will define the depth of a landslide mass and install an inclinometer for monitoring potential movement of the landslide mass; and after the boreholes are drilled, two of the boreholes in upland areas would be converted to open standpipe piezometers for collecting groundwater level data and monitoring. Geotechnical explorations would occur after September 1, 2021, and at locations within the Santa Clara River channel would occur between September 16 and October 3, 2021. The duration of the field work is approximately 4 weeks. Staff would travel to the inclinometer and piezometer weekly or monthly to collect monitoring data. Trips to the site would continue until monitoring is no longer needed and the boreholes are backfilled.

The District is the lead agency for the project, under CEQA, and has directed the preparation of an Initial Study (IS) on the proposed project in accordance with CEQA requirements and the State CEQA Guidelines. The IS describes the proposed project and assesses the proposed project's potentially significant adverse impacts on the physical environment. It concludes that the proposed project's potentially significant or significant adverse effects on the environment can be mitigated to less-than-significant levels; therefore, a proposed Mitigated Negative Declaration (MND) has been prepared. The project site is not present on any of the lists enumerated under Section 65962.5 of the Government Code.

Agencies and members of the public are invited to provide written comments on the IS/MND. **The comment period is from May 20, 2021 to June 18, 2021**. The IS/MND can be reviewed at the District office at 1701 Lombard Street, Suite 200, Oxnard, CA, 93030 or on the Districts web site at: https://www.unitedwater.org/key-documents/#ceqa-documents

Comments can be sent to Randall McInvale, at 1701 Lombard Street, Suite 200, Oxnard, CA, 93030, or email at RandallM@unitedwater.org. All comments must be received by 5:00 p.m. on June 18, 2021. For e-mailed comments, please include the project title in the subject line, attach comments in MS Word format, and include the commenter's name and U.S. Postal Service mailing address.

# PROPOSED MITIGATED NEGATIVE DECLARATION

| | |
|---|---|
| **Project:** | **Freeman Diversion Fish Passage Facility Geotechnical Exploration Project** |
| **Lead Agency:** | **United Water Conservation District** |

## PROJECT LOCATION

The United Water Conservation District (District) proposes the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (project or proposed project) along the alignment of the future fish passage facility at the Freeman Diversion facility, located on the Santa Clara River approximately 4 miles southwest of the city center of Santa Paula, and approximately 10 river miles upstream of the Pacific Ocean in Ventura County, California. General site access would occur from State Route 118 (Los Angeles Avenue) to Southern Pacific Milling Road. An alternative access road to either side of the canal is provided approximately, 0.75 mile downstream (west) of the Freeman Diversion facility near where the concrete lined portion of the canal terminates.

## PROJECT DESCRIPTION

The District is considering two alternatives for a new fish passage facility location at the Freeman Diversion facility: a hardened ramp and a vertical slot. The proposed geotechnical explorations would inform the design and construction of either fish passage facility alternative. The geotechnical field exploration is critical to the understanding of subsurface conditions.

The project consists of the following exploration activities: collecting soil and rock core samples from approximately 13 borings along and adjacent to the existing Freeman Diversion facility, excavating six test pits at key locations; and conducting seismic refraction traverses. Additionally, one boring will define the depth of a landslide mass and install an inclinometer for monitoring potential movement of the landslide mass; and after the boreholes are drilled, two of the boreholes in upland areas would be converted to open standpipe piezometers for collecting groundwater level data and monitoring. Geotechnical explorations would occur after September 1, 2021 and at locations within the Santa Clara River channel would occur between September 16 and October 3, 2021. The duration of the field work is approximately 4 weeks.

Staff would travel to the inclinometer and piezometer weekly or monthly to collect monitoring data. Trips to the site would continue until monitoring is no longer needed and the boreholes are backfilled.

## FINDINGS

An IS was prepared to assess the proposed project's potential effects on the environment and the significance of those effects. Based on the IS, it has been determined that the proposed project would not result in significant adverse effects on the physical environment after implementation of mitigation measures. This conclusion is supported by the following findings:

1. The proposed project would have no impacts on land use and planning, public service, recreation, tribal cultural resources, and wildfire.

2. The proposed project would have less-than-significant impacts on aesthetics, agriculture and forestry, energy, greenhouse gas emissions, mineral resources, noise, population and housing, transportation, and utilities and service systems.

3. The proposed project would have potentially significant impacts on air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, and hydrology and water quality.

4. The proposed project would not have the potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.

5. The proposed project would not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

6. The proposed project would not have possible environmental effects that are individually limited but cumulatively considerable and contribute to a significant cumulative impact. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

7. The environmental effects of the proposed project would not cause substantial adverse effects on human beings, either directly or indirectly.

Following are the proposed mitigation measures that would be implemented by the District to avoid or minimize environmental impacts. Implementation of these mitigation measures would reduce the environmental impacts of the proposed project to less-than-significant levels.

**Mitigation Measure AQ-1: Best Management Practices to Reduce Fugitive Dust, Reactive Organic Compound, and Nitrogen Oxide Emissions.**

The following measures will be implemented during/ following geotechnical exploration activities to the extent possible.

- The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (screened water from the District's diversion facilities) should penetrate sufficiently to minimize fugitive dust during grading activities.
- Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:
    - All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.
- Graded and/or excavated inactive areas of the construction site shall be monitored by the District at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the project site that are inactive for over 4 days, as determined to be necessary and/or as part of normal District operations. For the geotechnical exploration areas that are located outside of the existing footprint of the Freeman Diversion facility and outside of the Santa Clara River channel, if no further grading or excavation operations are planned for the area, disturbed areas should be seeded with a native seed mix and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted onsite limiting traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite. The site superintendent/supervisor shall use his/her discretion in conjunction with the Ventura County Air Pollution Control District (VCAPCD) in determining when winds are excessive.
- Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.
- Minimize equipment idling time
- Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications

- Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time
- Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible.

**Mitigation Measure BIO-1: Implement Measures to Minimize Potential for Direct Impacts on Steelhead and Steelhead Habitat.**

To minimize potential direct effects of geotechnical explorations on steelhead and its habitat, the District will ensure that the following measures are implemented:

- Heavy equipment operation will be limited to the minimum area necessary. Work area boundaries will be clearly identified before investigations begin, and no work will occur outside these work areas unless approved by the District Environmental Scientist responsible for permit compliance. All boundary markers will be removed immediately after work in a given area is complete.
- Before entering the site, all equipment will be washed at a location designated by the District Environmental Scientist responsible for permit compliance to ensure equipment is free of mud, algae, snails, and other debris. All equipment will be inspected before leaving the site to ensure it is free of mud and other debris that could contain invasive species.
- If an in-channel boring location is vegetated and vegetation removal is not covered by the existing Freeman Diversion Maintenance Project authorizations, the boring will be moved to an alternate location that does not require vegetation trimming/cutting, if feasible. If an appropriate alternative location that would provide the necessary geotechnical data and avoid vegetation trimming/cutting is not available, vegetation impacts will be limited to trimming/cutting the minimum area and extent required to allow access. Vegetation may be cut to near ground level, but complete removal will not occur. Cut vegetation will be immediately removed from and deposited where it cannot re-enter the channel.
- If areas not covered by the existing Freeman Diversion Maintenance Project authorizations require flow rerouting or dewatering to access boring locations in the Upstream or Downstream Work Area, surveys will be conducted before flow rerouting or dewatering begin in an effort to identify steelhead and other native fish. Relevant areas will be surveyed by two or more biologists/technicians knowledgeable and experienced in steelhead and other native fish identification and ecology. Survey methods may include bank observations and snorkeling. Snorkeling will be conducted when water depth (e.g., >1 foot) or in-channel complexity (e.g., woody debris or riprap) causes bank observations to be ineffective. If conditions are not conducive for confidently surveying the work area for steelhead presence, activities in the affected area will be postponed until such conditions exist or alternate means of access (e.g., crane) will be employed. If steelhead are observed, flow rerouting and/or dewatering in occupied areas will not occur, and the affected boring(s) will be relocated as necessary. If steelhead are not observed, a biologist knowledgeable and experienced in steelhead identification and ecology will be on the site during flow rerouting and/or dewatering to exclude native fish and confirm steelhead do not enter the flow rerouting/

dewatering area. Pacific lamprey ammocoetes found present in the flow rerouting/ dewatering area will be collected and relocated to adjacent suitable habitat.

- All project work will cease if a listed species is observed in the work areas until the individual(s) leaves on its own accord, or until USACE completes additional consultation with USFWS and/or NMFS, as appropriate. If a listed species is observed, project personnel will notify the designated District Environmental Scientist who will be responsible for contacting the USACE as well as CDFW.
- A worker environmental awareness training will be provided by a District Environmental Scientist or qualified biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated handout will include contact information for the District Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and the District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and the District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations.

**Mitigation Measure BIO-2: Minimize Potential for Destruction of Western Pond Turtle Nests and Injury or Death of Special-status Reptiles.**

To minimize potential direct effects of geotechnical explorations on special-status reptiles, the District will ensure that the following measures are implemented:

- Within 10 days before in-channel geotechnical exploration activities begin, a qualified biologist will conduct an initial survey for western pond turtles along the access in-channel access routes and work areas. If a pond turtle is found, it will be allowed to move out of the area on its own. If evidence of an unhatched nest is found, a no-disturbance buffer will be established and implemented around the nest until the eggs have hatched and the young have dispersed from the area.
- Immediately before geotechnical exploration activities begin in a given area, a qualified biologist will survey the anticipated disturbance and/or dewatering area for special-status reptiles. If any individuals of target species are found, they will be allowed to move out of the area on their own before equipment moves into the area. If an individual does not leave the area and the biologist determines it can be safely captured, the animal will be relocated to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not begin until the animal has been relocated or is thought to have left the area on its own.
- A worker environmental awareness training will be provided by a District Environmental Scientist or qualified biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated

handout will include contact information for the Districts Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations.

- If a pond turtle or other possible special-status reptile is discovered in a work area during geotechnical exploration activities, it will be allowed to move out of the area on its own. If the individual does not leave the work area, the District Environmental Scientist will be notified, and a qualified biologist will attempt to safely capture and relocate the animal to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not resume until the animal has been relocated or is thought to have left the area on its own.

**Mitigation Measure CR-1: Address Previously Undiscovered Historic Resources, Archaeological Resources, and Tribal Cultural Resources.**

If cultural resources are identified during Project-related ground-disturbing activities, all potentially destructive work in the 100-feet of the find should cease immediately and the District Environmental Scientist will be notified. In the event of an inadvertent discovery, the District will retain a qualified archaeologist to assess the significance of the find, make a preliminary determination, and if appropriate, provide recommendations for a treatment plan to mitigate further impacts to the resource. Ground-disturbing activities should not resume near the find until the treatment, if any is recommended, is complete or the qualified archaeologist determines the find is not significant.

**Mitigation Measure CR-2: Avoid Potential Effects on Undiscovered Burials.**

If human remains are found, the District should be immediately notified. The California Health and Safety Code requires that excavation be halted in the immediate area and that the county coroner be notified to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, the coroner must contact the Native American Heritage Commission (NAHC) by telephone within 24 hours of making that determination (Health and Safety Code, Section 7050.5[c]).

Once notified by the coroner, the NAHC shall identify the person determined to be the Most Likely Descendant (MLD) of the Native American remains. With permission of the legal landowner(s), the MLD may visit the site and make recommendations regarding the treatment and disposition of the human remains and any associated grave goods. This visit should be conducted within 24 hours of the MLD's notification by the NAHC (PRC, Section 5097.98[a]). If a satisfactory agreement for treatment of the remains cannot be

reached, any of the parties may request mediation by the NAHC (PRC, Section 5097.94[k]). Should mediation fail, the landowner or the landowner's representative must reinter the remains and associated items with appropriate dignity on the property in a location not subject to further subsurface disturbance (PRC, Section 5097.98[b]).

**Mitigation Measure GEO-1: Prepare and Implement a Storm Water Pollution Prevention Plan, if required, Implement Erosion Control Best Management Practices, and Comply with Ventura County Standards for Grading and Erosion Control.**

If project activities would disturb more than 1 acre, then activities would be subject to SWRCB's statewide Stormwater General Permit for Construction (2009-0009-DWQ) requirements construction-related stormwater permit requirements of the NPDES program. Any permits will be obtained by the District before any ground-disturbing construction activity.

If a Construction General Permit is needed, it would also require preparation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies best management practices (BMPs) for erosion control and to prevent or minimize the introduction of contaminants into surface waters. Such BMPs could include, but would not be limited to, silt fencing, straw bale barriers, fiber rolls, storm drain inlet protection, hydraulic mulch, and a stabilized construction entrance. The SWPPP will include development of site-specific structural and operational BMPs to prevent and control impacts on runoff quality, measures to be implemented before each storm event, inspection and maintenance of BMPs, and monitoring of runoff quality by visual and/or analytical means. The SWPPP will also include dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. The BMPs shall be clearly identified and maintained in good working condition throughout the construction process. The construction contractor shall retain a copy of the approved SWPPP on the construction site and modify it as necessary to suit specific site conditions.

If it's determined that a construction General Permit and SWPPP is not necessary for the proposed project, the District would still identify and implement BMPs for erosion control, similar to those listed above, to prevent contaminants entering surface water.

The District would obtain and comply with all provisions of a Ventura County Grading Permit, if required.

**Mitigation Measure GEO-2: Implement Construction Worker Personnel Training, Stop Work if Paleontological Resources are Encountered During Earthmoving Activities and Implement a Recovery Plan, if Appropriate.**

To minimize the potential for destruction of or damage to potentially unique, paleontological resources during earth-moving activities, the District will implement the measures described below.

- Before the start of construction activities at the project site, construction personnel involved with earth-moving activities (including the site superintendent) will be informed of the possibility of encountering fossils and proper notification procedures should potential fossils be encountered. This worker training may be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources is presented.

- If paleontological resources are discovered during earth-moving activities, the construction crew will notify the District and will immediately cease work in the vicinity of the find. The District will retain a qualified paleontologist to inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts will occur, no further effort shall be required.

- If the resource cannot be avoided and may be subject to further impact, a qualified paleontologist shall evaluate the resource in accordance with SVP Guidelines (2010) and determine whether it is "unique" under CEQA, Appendix G, part VII. The determination and associated plan for protection of the resource shall be provided to the District for review and approval. If the resource is determined not to be unique, work may commence in the area. If the resource is determined to be a unique paleontological resource, work shall remain halted, and the paleontologist shall consult with the District staff regarding methods to ensure that no substantial adverse change would occur to the significance of the resource pursuant to CEQA.

- Preservation in place (i.e., avoidance) is the preferred method of mitigation for impacts to paleontological resources and shall be required unless there are other equally effective methods. Other methods may be used but must ensure that the fossils are recovered, prepared, identified, catalogued, and analyzed according to current professional standards under the direction of a qualified paleontologist. All recovered fossils shall be curated at an accredited and permanent scientific institution according to Society of Vertebrate Paleontology standard guidelines; typically, the Natural History Museum of Los Angeles County and University of California, Berkeley accept paleontological collections at no cost to the donor. Work may commence upon completion of treatment, as approved by the District.

**Mitigation Measure HAZ-1: Implement Best Management Practices to Minimize the Potential Release of Hazardous Materials.**

Project-related vehicles and equipment will be maintained prior to site access and checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be deleterious. Equipment fueling will occur outside the channel whenever possible. If a stationary piece of equipment cannot be readily moved out of the channel for fueling, a containment system will be used to capture any accidental spill. Onsite fueling trucks and fueling areas will contain spill kits and/or other spill protection devices. Vehicle and equipment fluid spills will be cleaned up immediately. Equipment and material staging/storage will occur outside the channel.

No project-related hazardous substances will be allowed to contaminate the soil and/or enter into or be placed where it may be washed by rainfall or runoff into the Santa Clara River.

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# Abbreviations and Acronyms

| | |
|---|---|
| APE | area of potential effect |
| AQMP | Air Quality Management Plan |
| BMP | best management practices |
| BHR | borehole |
| Cal | calibrated |
| Caltrans | California Department of Transportation |
| CARB | California Air Resource Boards |
| CAAQS | California Ambient Air Quality Standards |
| CALFIRE | California Department of Foresty and Fire Protection |
| California Ocean Plan | Water Quality Control Plan – Ocean Waters of California |
| California Thermal Plan | Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries in California |
| CCR | California Code of Regulations |
| CEC | California Energy Commission |
| CEQA | Californi Environmental Quality Act |
| CGS | California Geologic Survey |
| CRHR | California Register of Historical Resources |
| CDFW | California Department of Fish and Wildlife |
| CFGC | California Fish and Game Code |
| CME | central mine equipment |
| CNDDB | California Natural Diversity Database |
| CNPS | California Native Plant Society |
| CO | carbon monoxide |
| County | Ventura County |
| dBA | A-weighted decibel |
| District or UWCD | United Water Conservation District |
| DOF | Department of Finance |
| DPS | distinct population segment |
| DWR | Department of Water Resources |
| DTSC | Department of Toxic Substance Control |
| EIR | Environmental Impact Report |
| ESA | Endangered Species Act |
| GHG | greenhouse gas |

| | |
|---|---|
| HCWC | Habitat Connectivity and Wildlife Corridor |
| Highway 126 | Santa Paula Highway |
| IS/MND | Initial Study/Proposed Mitigated Negative Declaration |
| IWMD | Integrated Waste Management Division |
| KWh | kilowatts per hour |
| LARWQCB | Los Angelos Regional Water Quality Control Board |
| Leq | equivalent continuous sound level in decibels |
| Lmax | maximum instantaneous sound level |
| MLD | most likely descendant |
| MRP | Mineral Resource Protection |
| NAAQS | National Ambient Air Quality Standards |
| NAHC | Native American Heritage Comission |
| NMFS | National Marine Fisheries Services |
| $NO_2$ | nitrogen dioxide |
| NOx | nitrogen oxides |
| NRCS | Natural Resources Conservation Service |
| NRHP | National Register of Historic Places |
| $O_3$ | ozone |
| OS-80 | Open Space 80 acres |
| OHP | Office of Historic Preservation |
| PM | particulate matter |
| $PM_{10}$ | particulate matter less than 10 microns in diameter |
| $PM_{2.5}$ | particulate matter less than 2.5 microns in diameter |
| PRC | Public Resources Code |
| proposed project /project | Freeman Diversion Fish Passage Facility Geotechnical Exploration Project |
| ROC | reactive organic compounds |
| SCCAB | South-Central Coast Air Basin |
| SCCIC | South Central Coast Information Center |
| $SO_2$ | sulfur dioxide |
| SPT | Standard Penetration Test |
| SWPPP | Storm Water Pollution Prevention Plan |
| SWRCB | State Water Resource Control Board |
| USACE | United States Army Corps of Engineers |
| USFWS | United States Fish and Wildlife Service |
| VCAPCD | Ventura County Air Pollution Control District |

| | |
|---|---|
| VCREA | Ventura County Regional Energy Alliance |
| VMT | Vehicle miles traveled |
| Vs30 | seismic velocity survey |

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# 1.0 Introduction

The United Water Conservation District (District) has prepared this Initial Study/proposed Mitigated Negative Declaration (IS/MND) in compliance with the California Environmental Quality Act (CEQA) and Guidelines to address the potentially significant environmental impacts of the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (proposed project or project) in Ventura County, California (County). The District is the lead agency under CEQA.

The District has completed the following documents, as required by CEQA:

- a notice of intent to adopt an MND for the proposed project
- a proposed MND
- an IS

After the required public review of this document is complete, the District's Board of Directors will consider all IS/MND comments received, and the entirety of the administrative record for the project, in whether to adopt the proposed MND and a Mitigation Monitoring and Reporting Program and approve the proposed project.

## 1.1 Purpose of the Initial Study

This document is an IS prepared in accordance with CEQA (California Public Resources Code [PRC], Section California Code of Regulations [CCR] 21000 et seq.) and the state CEQA Guidelines (Title 14, Section 15000 et seq. of the CCR). The purpose of this IS is to (1) determine whether proposed project implementation would result in potentially significant or significant impacts on the physical environment; and (2) incorporate mitigation measures into the proposed project design, as necessary, to eliminate the proposed project's potentially significant or significant project impacts or reduce them to a less-than-significant level. An MND is prepared if the IS identified one or more potentially significant impacts, and: (1) revisions in the proposed project mitigate the potentially significant impacts to less-than-significant levels; and (2) there is no substantial evidence, in light of the whole record before the lead agency, that the proposed project, as revised, may have a potentially significant or significant impact on the physical environment.

An IS presents environmental analysis and substantial evidence in support of its conclusions regarding the significance of environmental impacts. Substantial evidence may include expert opinion based on facts, technical studies, or reasonable assumptions based on facts. An IS is neither intended nor required to include the level of detail provided in an Environmental Impact Report (EIR).

CEQA requires that all state and local government agencies consider the potentially significant and significant environmental impacts of projects they propose to carry out or over which they

have discretionary authority, before implementing or approving those projects. The public agency that has the principal responsibility for carrying out or approving a proposed project is the lead agency for CEQA compliance (state CEQA Guidelines, CCR Section 15367). The District is a public agency and has principal responsibility for carrying out the proposed project and is therefore the CEQA lead agency for this IS/MND.

If there is substantial evidence (such as the findings of an IS) that a proposed project, either individually or cumulatively, may have a significant or potentially significant impact on the physical environment, the lead agency must prepare an EIR (state CEQA Guidelines, CCR Section 15064[a]). If the IS concludes based on substantial evidence that impacts would be less-than-significant, or that mitigation measures committed to by the project proponent (the District) would reduce impacts to a less-than-significant level, a Negative Declaration or MND may be prepared.

The District has prepared this IS to evaluate the potential environmental impacts of the proposed project and has incorporated mitigation measures to eliminate or reduce any potentially significant project-related impacts. Therefore, an MND has been prepared for this project.

## 1.2 Summary of Findings

Chapter 3 of this document contains the analysis and discussion of potential environmental impacts of the proposed project. Based on the issues evaluated in that chapter, it was determined that:

The proposed project would result in no impacts on the following issue areas:

- Land Use and Planning
- Public Service
- Recreation
- Tribal Cultural Resources
- Wildfire

The proposed project would result in less-than-significant impacts on the following issue areas:

- Aesthetics
- Agriculture and Forestry
- Energy
- Greenhouse Gas
- Mineral Resources
- Noise
- Population and Housing
- Transportation
- Utilities and Service System

The proposed project would result in less-than-significant impacts *after* mitigation implementation on the following issue areas:

- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality

## 1.3 Document Organization

This document is divided into five sections:

**Chapter 1, Introduction.** This chapter describes the purpose of the IS/MND, summarizes findings, and describes the organization of this IS/MND.

**Chapter 2, Project Description.** This chapter describes the project location and background, project need and objectives, project characteristics, construction activities, project operations, and discretionary actions and approvals that may be required.

**Chapter 3, Environmental Checklist.** This chapter presents an analysis of environmental issues identified in the CEQA environmental checklist and determines whether project implementation would result in a beneficial impact, no impact, less-than-significant impact, less-than-significant impact with mitigation incorporated, potentially significant impact, or significant impact on the physical environment for each resource topic identified in CEQA Guidelines Appendix G. Should any impacts be determined to be potentially significant or significant, an EIR would be required. For this proposed project, however, mitigation measures have been incorporated as needed to reduce all potentially significant and significant impacts to a less-than-significant level.

**Chapter 4, References.** This chapter lists the references used to prepare this IS/MND.

**Chapter 5, Report Preparers.** This chapter identifies report preparers who contributed to the preparation of this document.

# 2.0 Project Description

## 2.1 Project Background

The Freeman Diversion facility includes a Denil fish ladder that was designed to provide upstream passage for adult steelhead, however, as a result of litigation, the United States District Court for the Central District of California determined the current facility is inadequate and the District is required to analyze alternative fish passage facility designs for eventual replacement in consultation with the resource agencies and as part of the Freeman Diversion Multiple Species Habitat Conservation Plan. The District is considering two alternatives for a new fish passage facility: a hardened ramp and a vertical slot. The proposed geotechnical explorations would inform the design and construction of either fish passage facility alternative. Previous geotechnical explorations nearby the Freeman Diversion facility were conducted in 1983, 1989, 2013 and 2016. The currently proposed geotechnical explorations would supplement the previously collected data with borings to greater depths and at more specific locations needed to better characterize the subsurface conditions along the proposed alignment, as well as test pits and a seismic refraction survey.

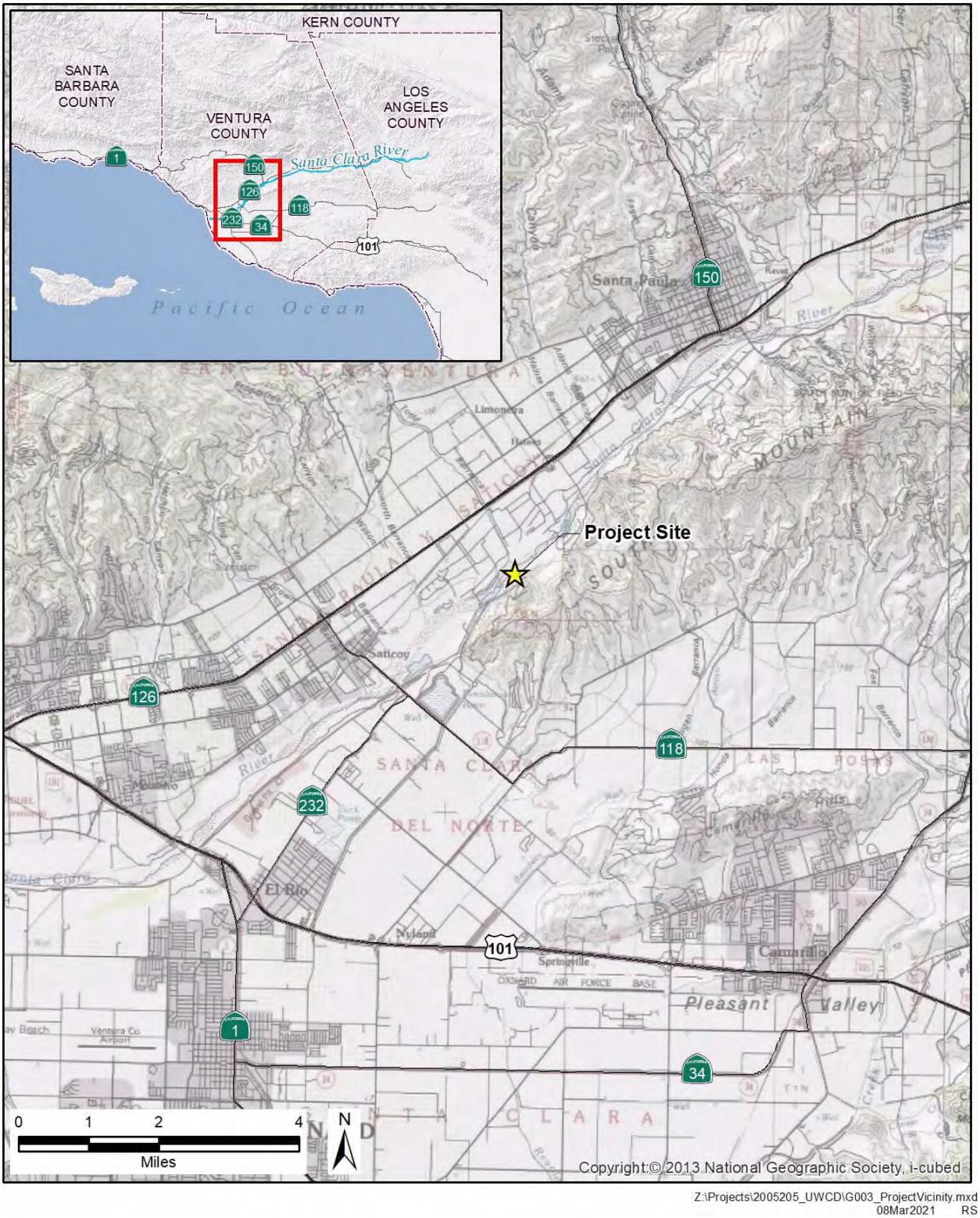
## 2.2 Project Location

The Freeman Diversion facility is located on the Santa Clara River approximately 4 miles southwest of the city center of Santa Paula, and approximately 10 river miles upstream of the Pacific Ocean in Ventura County, California (**Figure 2-1**). The proposed geotechnical explorations would occur along the alignment of the future fish passage facility. The proposed geotechnical explorations, including boring locations, test pit locations, seismic refraction survey lines, and associated access routes are shown in **Figure 2-2**. General site access would occur from State Route 118 (Los Angeles Avenue) to Southern Pacific Milling Road. The main roadway at Los Angeles Avenue is paved, whereas the Southern Pacific Milling Road is a well-maintained gravel road. An alternative access road to either side of the canal is provided approximately 0.75 mile downstream (west) of the Freeman Diversion facility near where the concrete lined portion of the canal terminates.

## 2.3 Project Objectives

The District is pursuing the project to investigate the geotechnical site characteristics to inform final design and construction of the future fish passage facility alignment at the Freeman Diversion facility. The geotechnical field exploration is critical to the understanding of subsurface conditions, as follows:

**Figure 2-1. Freeman Diversion Facility Location**

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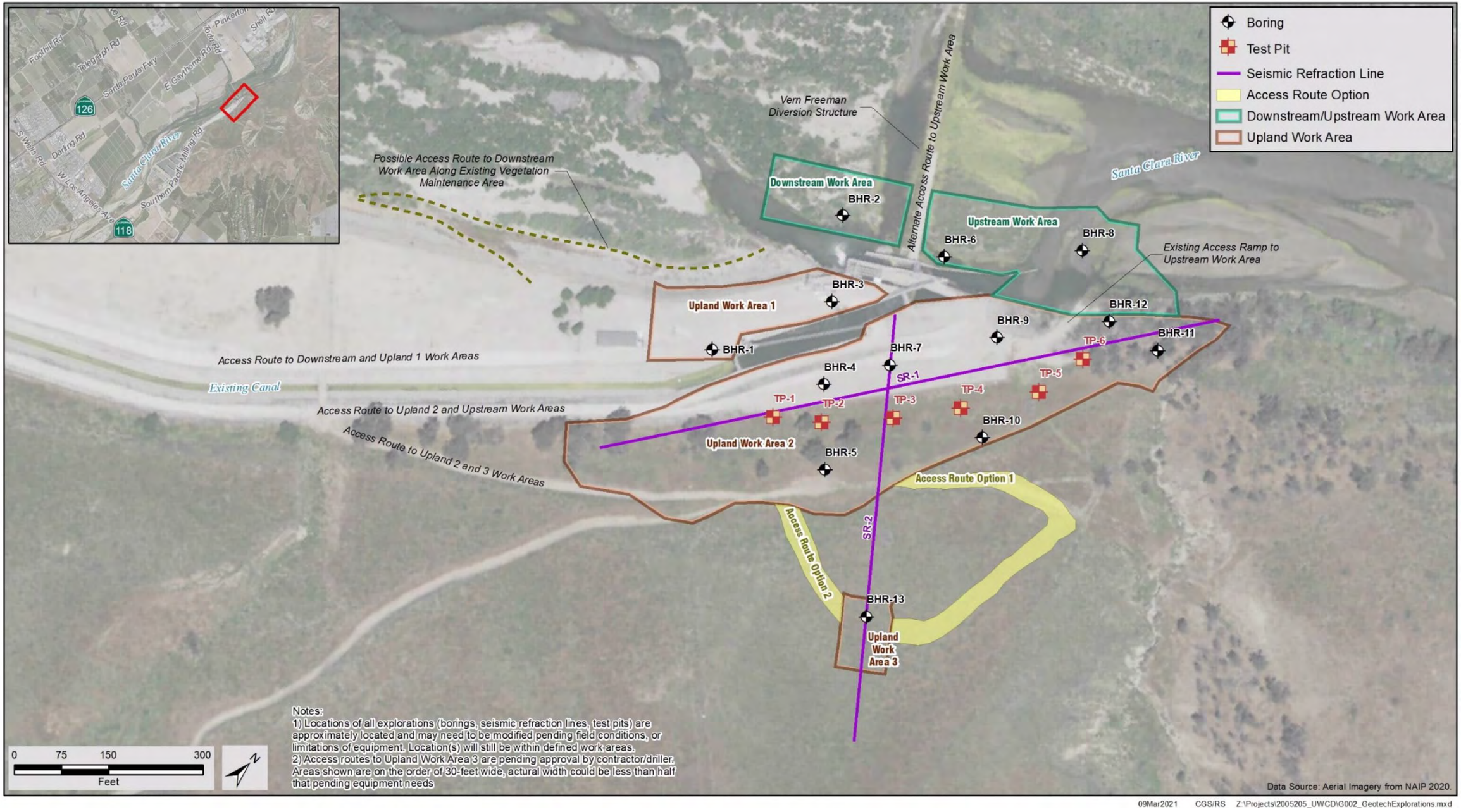
08Mar2021 RS

**Figure 2-2. Geotechnical Field Exploration Locations**



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- characterizing the lithology, structure, and rock mass properties of the bedrock
- identifying adverse conditions such as low strength, weathered, and/or highly fractured bedrock
- characterizing potential seismic hazards and groundwater conditions
- evaluating the rippability of the bedrock
- calculating the amount of overburden and excavation required during construction

## 2.4 Geotechnical Exploration Activities

The project would consist of the following exploration activities, described below in this section:

- collecting soil and rock core samples from approximately 13 borings taken along and adjacent to the existing Freeman Diversion facility
- excavating 6 test pits at key locations
- conducting seismic refraction traverses

### *2.4.1 Borings*

Approximately 13 borings would be drilled as close as feasible to the locations shown in **Figure 2-2**. The exact boring locations would be determined depending on the drill rig and specific site conditions (e.g., presence of open water) but would be within the work area boundaries shown. Up to an approximately 50-foot-square drill pad may be required for each boring. BHR-1 and 3 are located to determine the depth to bedrock and characterize foundation conditions. BHR-4, 5, 7, 9, 10, 11, and 12 are located to determine the depth to bedrock and characterize foundation conditions for the roller compact concrete support. BHR-2, 6, and 8 are located in the Santa Clara River channel to inform foundation conditions for the future fish passage facility and prefabricated bridge foundation. A seismic velocity survey would be performed in one borehole (at either BHR-4, 7, 9, or 12) after drilling and sampling is complete. The procedure involves lowering a suspended probe equipped with a dipole seismic energy source near the tip of the probe and a pair of geophones within the middle to upper section of the probe.

The purpose of BHR-13 is to define the depth of the landslide mass and install an inclinometer for monitoring potential movement of the landslide mass. After the boreholes are drilled, two of the boreholes in upland areas (in either BHR-1, 3, 4, 5, 7, 9, 10, 11, or 12) would be converted to open standpipe piezometers for collecting groundwater level data and monitoring. The inclinometer and piezometers would be left in place after completion exploration activities to collect data prior to, during, and/or after the future fish passage facility is constructed.

#### Borehole Construction

Boring diameters would range from approximately 4 to 6 inches and borehole depth would range from approximately 25 to 150 feet. Rotary wash drilling techniques would be used, which include a polymer as the additive to water to create the drilling mud. Bentonite may be used in place of a polymer in the soil portion of the borings, as necessary to keep the borehole from collapsing. The

boring machines require a water source and a polymer for lubrication during drilling. Water for drilling would be obtain by one of the following methods:

- drawn from the canal downstream of the Freeman Diversion facility by filtered pump, distributed by flexible, temporary hose to each drill site, and collected along with the drill muck for disposal; or
- trucked onsite from a to be determined treated water source.

#### Cutting Disposal

The cuttings generated by drilling and drilling fluids are forced up the side of the borehole outside the drill rods and collected into a tank at the ground surface. The heavier cuttings fall out as the fluid travels through partitions in the tank and the fluids are re-circulated within the closed drilling system. The cuttings are removed by either pumping directly into a portable storage tank or by shoveling them from the tank. Where practical, solid stem augers may be used until groundwater is encountered.

Overburden soils (alluvium and fill) and hard rock would be sampled and transported offsite for analysis. Disposal of cuttings would be determined based on sampling. It is anticipated that material encountered in boreholes would be free of contaminants and suitable for spreading on the ground surface at or near the drill sites (in locations where runoff would not return materials to the streambed), using small hand dug ditches or berms as necessary to control runoff. No cuttings would be spread at the drill sites in the Santa Clara River channel. Alternatively, cuttings would be temporarily stored in 55-gallon drums or 20-cubic-yard, plastic-lined bins located in the designate work areas, prior to disposal at an appropriate inland site location (inland area of the adjacent property owned by the District) or landfill.

#### Borehole Completion

Unless converted to a piezometer or inclinometer, boreholes would be backfilled with cement-bentonite grout using the tremie method, where a tremie (watertight pipe) is used to pour concrete underwater in a way that avoids washout of cement from water coming into contact with the concrete while it is flowing. The grout would displace the fluid remaining from borehole construction. Displaced fluid would be collected in the tank for offsite disposal. The grout would be checked for settlement and refilled as needed. Local soils would be used to top off the backfill at the ground surface. The backfilling procedures would be in accordance with Ventura County Environmental Health Division.

### *2.4.2 Test Pits*

Approximately six test pits would be excavated in upland areas adjacent to the future fish passage facility within Upland Work Area 2. The test pits would be excavated to inform the stability of anticipated cuts along the fill and alluvium. Each test pit would be approximately 3 feet by 15 feet and would be excavated with a track-mounted excavator. Test pits would be excavated until digging cannot go further or to a depth of approximately 12 feet. The test pits may be excavated in a stepped or slope configuration at one end to allow safe entry and exiting. Material would be stockpiled adjacent to excavations and used for backfilling after data collection. A sufficient

amount of compaction effort would be applied to place the backfill material to a relatively firm and unyielding condition. After backfilling, the test pit location would be returned to near pre-excavation conditions and with a free-draining surface, such that ponding does not occur at the test pit location. Any excess spoils would be smoothly mounded over the test pit footprint in anticipation of future minor settlement.

### *2.4.3 Seismic Refraction Survey*

Seismic refraction surveys would be conducted along the ground surface of the proposed alignment shown on **Figure 2-2** to evaluate the rippability of the bedrock, thickness of the overburdened and weathering characteristic of the bedrock. The seismic refraction surveys are conducted from the ground surface by striking a sledgehammer onto a metal plate placed on the ground. Very sensitive geophones mounted a few inches deep into the soil measure resulting subsurface wave velocities and the depth of overburden soil is computed based on the test results.

## 2.5 Work Areas and Access

Four generalized work areas have been defined, as follows, and shown on **Figure 2-2**: Upland Work Area 1, Upland Work Area 2, Upland Work Area 3, and In-Channel Work Areas (Upstream and Downstream). Before entering the work areas, all equipment would be washed at a location designated by the District to ensure equipment is free of mud, algae, snails, and other debris. All equipment would be inspected before leaving the site to ensure it is free of mud and other debris that could contain invasive species. The rest of this section discusses access to each of these work areas and other important details for conducting work.

- **Upland Work Area 1 and the Upstream and Downstream (in-channel) Work Areas** would be accessed along the primary Freeman Diversion facility access road on the north side of the canal. This provides easy drive-up access to borings BHR-1 and 3.
- **Upland Work Areas 2 and 3** would be accessed along the well-graded road on the south side of the canal. This provides easy drive-up access to BHR-4, 7, and 9 and relatively easy drive-up access to BHR-5, 10, 11, and 12 and TP-1 through TP-6. The southern portion of Upland Work Area 2, including BHR-5 and 10, would be accessed via an existing dirt road on the adjacent property. Upland Work Area 3, which includes BHR-13, would also be accessed along this dirt road but would require cross-country travel, likely including grading. Two potential routes to Work Area 3 are shown on **Figure 2-2**. The exact path and area of impact would be determined depending on the drill rig and grade limitations. The routes shown are 30 feet wide but may be considerably narrower. In addition to grading the access route, an approximately 50-foot-square drill pad may be required.
- **Upstream and Downstream Work Areas** would initially be accessed via existing ramps and routes identified for the Freeman Diversion Maintenance Project. Because the river channel is a dynamic river system capable of depositing and redistributing large quantities of sediment within the channel, the exact access routes to BHR-2, 6, and 8 are uncertain. Depending on the amount of river flow during the 2020-21 water year, the District may need to prepare and implement a dewatering and diversion plan. It is possible access can be readily obtained by non-extraordinary means such as drive-up access with a truck-mounted drill rig, but steel plates or drill mats may be necessary, particularly where soft ground may be encountered. However,

relatively deep pools (at times exceeding a depth of 6 feet) may obstruct overland travel entirely, requiring the use of a crane to mobilize a compact drill rig. Lastly, it is possible that access to the Upstream Work Area could be provided along the crest of the Freeman Diversion facility from the right abutment off Todd Road (*see* **Figure 2-2**).

## 2.6 Schedule, Staffing and Equipment

Geotechnical explorations would be conducted beginning September 1 or later in the year and within the Santa Clara River channel would only be conducted between September 16 and October 3, 2021. The duration of the field work is approximately 4 weeks. Project activities would occur Monday-Friday from 6 a.m. to 7 p.m.

Borings would be conducted using a track-carrier mounted or truck mounted drill and/or a smaller more light-weight rig for borings if they require the use of a crane to deliver the equipment to in-channel drilling location(s) (at BHR-2, 6 and 8). Heavy equipment operation would be limited to the minimum area necessary. Support vehicles would include up to five pickup trucks and a water truck. It is possible a small all-terrain utility vehicle would also be used. Onsite work crews would typically include approximately five personnel.

## 2.7 Monitoring

Staff would travel to the inclinometer and piezometer weekly or monthly to collect monitoring data. Trips to the site would continue until monitoring is no longer needed and the boreholes are backfilled, as described above.

## 2.8 Regulatory Requirements, Permits, and Approval

### *2.8.1 Existing Freeman Diversion Maintenance Project Permits*

In 2019, the United States Army Corps of Engineers (USACE) issued a Programmatic Individual Permit (SPL-2013-00171-EBR) for the Freeman Diversion Maintenance Project; authorizing activities annually to maintain this facility through December 18, 2024. In support of the Individual Permit and as required under Section 7 of the Endangered Species Act (ESA), the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) issued letters of concurrence. The Water Quality Certification was deemed to be waived by USACE.

Among other items, the Programmatic Individual Permit authorizes downstream dewatering activities of the Freeman Diversion facility, upstream and downstream flow diversion, vegetation removal within 15 feet of the Freeman Diversion facility, riprap berms, and access routes, and repair of access routes. To the maximum extent practicable, the District would implement the Freeman Diversion Maintenance Project activities immediately prior to or during the geotechnical explorations to facilitate access to the exploration locations. For the aforementioned activities (e.g., dewatering, vegetation removal), the District would adhere to all permit terms and conditions, including geographical limitations and timing requirements.

### *2.8.2 Proposed Project*

The District would also obtain permits and approvals for geotechnical exploration activities and work areas that are beyond the scope of permits obtained for the Freeman Diversion Maintenance Program. The following permits and approvals are anticipated.

- **USACE Clean Water Act (CWA) Section 404 Permit**. This permit is required for discharge of dredge and fill material into waters of the United States, including the Santa Clara River.
- **ESA Section 7 Consultation.** Consultation with the NMFS and USFWS is required for possible effects on federally listed species pursuant to Section 7 of the federal ESA.
- **NRHP Section 106 Consultation.** Consultation with the State Historic Preservation Officer and other consulting agencies, including the Advisory Council on Historic Preservation to develop an agreement that addresses the treatment of historic properties.
- **Los Angeles Regional Water Quality Control Board (LARWQCB) CWA Section 401 Water Quality Certification.** This certification is required for issuance of federal permits including the CWA Section 404 permit and discharge of dredge and fill material to waters of the state.
- **California Department of Fish and Wildlife (CDFW), Lake and Streambed Alteration Agreement.** Compliance with California Fish and Game Code Section 1602 may be required for alteration of the bed and bank of the Santa Clara River. The District will submit a notification under Fish and Game Code 1602 and will comply with all requirements of the resulting Lake and Streambed Alteration Agreement.
- **Ventura County Public Works Agency, Watershed Protection District Watercourse Permit.** This permit is required for any work or activity in, on, over, under, or across the bed and banks of a channel with Ventura County Watershed Protection District.
- **Ventura County Public Works Agency, Watershed Protection District Floodplain Management Ordinance No. 4521, including Flood Plain Development Permit.** The project is required to comply with all outlined requirements set for in Management Ordinance No. 4521, including obtaining a Flood Plain Development Permit.

# 3.0 Environmental Checklist

## Project Information

| | |
|---|---|
| #1. Project title: | Freeman Diversion Fish Passage Facility<br>Geotechnical Exploration Project |
| #2. Lead agency name and address: | United Water Conservation District<br>1701 North Lombard Street, Suite 200<br>Oxnard, CA 93030 |
| #3. Contact person and phone number: | Randall McInvale: (805) 525-4431 |
| #4. Project location: | 4 miles southwest of the city center of Santa Paula, Ventura County, California |
| #5. Project sponsor's name and address: | Same as lead agency |
| #6. General plan designation: | Agriculture and Open Space |
| #7. Zoning: | Open Space 80 acres (OS-80)/Mineral Resource Protection (MRP)/Habitat Connectivity and Wildlife Corridor (HCWC) |
| #8. Description of project:<br>(Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or offsite features necessary for its implementation. Attach additional sheets if necessary.) | The proposed project proposes geotechnical explorations to investigate the geotechnical site characteristics to inform final design and construction of the future fish passage facility at the Freeman Diversion facility, owned by the District. |
| #9. Surrounding land uses and setting: Briefly describe the project's surroundings: | The surrounding land use consists of the Santa Clara River, the Southern Pacific Milling Company, bare ground, and a vegetated hillside |
| #10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.) | NMFS, USFWS, USACE, LARWQCB, State Historic Preservation Officer, and CDFW. |
| #11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to PRC Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.? | No California Native American tribes have requested consultation. |

**Note:** Conducting consultation early in the California Environmental Quality Act (CEQA) process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (*See* PRC Section 21080.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. **Please also note** that PRC Section 21082.3(c) contains provisions specific to confidentiality.

## Environmental Factors Potentially Affected

No environmental resources were found to have "potentially significant impacts". The environmental factors listed as "Yes" in the table below would be potentially affected by this project, involving at least one impact that has "Less-than-Significant Impacts with Mitigation Incorporated" as indicated by the checklist on the following pages. Impacts to all resources for the proposed project are reduced to less-than-significant with the incorporation of mitigation measures.

**Table 3-1. Environmental Resources with Potentially Significant Impacts Prior to Mitigation.**

| Environmental Resources | Yes or No? |
|---|---|
| Aesthetics | No |
| Agriculture and Forestry Resources | No |
| Air Quality | Yes |
| Biological Resources | Yes |
| Cultural Resources | Yes |
| Energy | No |
| Geology/Soils | Yes |
| Greenhouse Gas Emissions | No |
| Hazards and Hazardous Materials | Yes |
| Hydrology/Water Quality | Yes |
| Land Use/Planning | No |
| Mineral Resources | No |
| Noise | No |
| Population/Housing | No |
| Public Services | No |
| Recreation | No |
| Transportation | No |
| Tribal Cultural Resources | No |
| Utilities/Service Systems | No |
| Wildfire | No |
| Mandatory Findings of Significance | No |

## Determination (To be completed by the Lead Agency)

| On the basis of this initial evaluation: | Yes or No? |
|---|---|
| I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. | No |
| I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. | Yes |
| I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. | No |
| I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. | No |
| I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. | No |

Signature

Date

Print Name

Title

United Water Conservation District

Agency

## 3.1 Aesthetics

#1. **AESTHETICS**. Except as provided in PRC Section 21099, **would the project**:

| | | | | | |
|---|---|---|---|---|---|
| #1 -a. Have a substantial adverse effect on a scenic vista? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #1 -b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #1 -c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #1 -d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.1.1 Environmental Setting*

The project site is located approximately 1 mile south of Santa Paula Highway (Highway 126), and 2.25 miles northeast of Highway 118. To access the site, from Highway 118 take the unnamed dirt road exit (approximately 0.10 mile from East Vineyard Avenue) onto South Pacific Milling Road and continue for 2.25 miles until reaching BHR-1. The project area is moderately sloped and is comprised of the Santa Clara river channel and floodplain, a vegetated hillside, and bare unpaved ground. The western section of the project site surrounds a mineral resource processing station. There are no scenic vistas within the vicinity of the project site. There are public views of the portion of the project site along the hillside from highways 126 and 118. The majority of the project site would not be visible due to the agricultural fields to the north, and hillsides to the south of the project site. There are no designated scenic highways within the vicinity of the project site (Caltrans 2015 and 2019).

### *3.1.2 Discussion*

**#1 -a, b, and d. Have a substantial adverse effect on a scenic vista? Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

There are no significant viewsheds, scenic vistas, or scenic highways located in the vicinity of the project site (Caltrans 2015 and 2019). Geotechnical exploration activities would be conducted during the day and the project would not create new sources of light. There would be no change to visual resources. There would be **no impact**.

**#1 -c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

There would be workers onsite for a period of approximately 4 weeks, collecting soil and rock samples, performing seismic refraction traverses, and performing test pit sampling along key locations. However, following geotechnical explorations, the project site would be restored to approximate pre-project conditions. If vegetation is removed from the river channel, these areas are anticipated to become naturally revegetated. Since the project would not result in any new built structures or damage to the existing landscape, the project would not permanently change the existing views. Therefore, this impact is considered **less than significant**.

## 3.2 Agriculture and Forestry Resources

**#2. AGRICULTURE AND FORESTRY RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997, as updated) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #2 -a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #2 -b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #2 -c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #2 -d. Result in the loss of forest land or conversion of forest land to non-forest use? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

| | | | | | |
|---|---|---|---|---|---|
| #2 -e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |

### *3.2.1 Environmental Setting*

The project site is zoned as OS-80/MRP/HCWC (Ventura County 2020). There is no agriculture land within the project site. PRC Section 12220(g) defines "forestland" as land that can support 10 percent native tree cover and forest vegetation of any species, including hardwoods, under natural conditions and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. According to this definition, small portions of the project site would qualify as forestland, near BHR 11 and 13.

### *3.2.2 Discussion*

**#2 -a and b. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

The project site does not contain any agricultural lands, and therefore, the project would not convert any farmland to non-agriculture uses and would not conflict with a Williamson Act contract. There would be **no impact**.

**#2 -c and d. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? Result in the loss of forest land or conversion of forest land to non-forest use?**

The project site is zoned as OS-80/MRP/HCWC, which allows for the management of forest land and rangelands (Ventura County 2020). However, the project would not require the rezoning of existing lands because no development is proposed. There would be **no impact**.

### #2 -e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

There is no agricultural land within the project site. There are small patches of forestland within the project site, near BHR 11 and 13 on the hillside. The project would likely require removal of vegetation at these locations. However, the relatively small amount of vegetation removal would be insignificant. The Los Padres National Forest accounts for approximately 574,000 acres, or 47 percent of the Ventura County's total land area. Therefore, this impact would be **less than significant**.

## 3.3 Air Quality

**#3. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations. **Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #3 -a. Conflict with or obstruct implementation of the applicable air quality plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #3 -b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #3 -c. Expose sensitive receptors to substantial pollutant concentrations? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #3 -d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.3.1 Environmental Setting*

The proposed project is located in the South-Central Coast Air Basin (SCCAB) within Ventura County. The Ventura County Air Pollution Control District (VCAPCD) is responsible for obtaining and maintaining air quality conditions in the County.

The federal Clean Air Act and California Clean Air Act required the United States Environmental Protection Agency and California Air Resource Boards (CARB) to establish health-based air quality standards at the federal and state levels. National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) were established for the following criteria pollutants: carbon monoxide (CO), ozone (O3), sulfur dioxide (SO2), nitrogen dioxide (NO2), particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), and lead. Areas of the state are designated as attainment, nonattainment, maintenance, or unclassified for the various pollutant standards according to the federal Clean Air Act and California Clean Air Act.

An “attainment” designation for an area signifies that pollutant concentrations did not violate the NAAQS or CAAQS for that pollutant in that area. A “nonattainment” designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation was caused by an exceptional event, as identified in the criteria. A “maintenance” designation indicated that the area previously categorized as nonattainment is currently categorized as attainment for the applicable pollutant; though the area must demonstrate continued attainment for a specific number of years before it can be re-designated as an attainment area. An “unclassified” designation signifies that data does not support either an attainment or a nonattainment status. The United States Environmental Protection Agency established NAAQS in 1971 for six air pollution constituents. States have the option to add other pollutants, to require more stringent compliance, or to include different exposure periods. CAAQS and NAAQS are listed in **Table 3-2**.

Under the CAAQS, the County is designated as nonattainment for 8-hour ozone, and PM10, and attainment/unclassified for PM2.5, CO, NO2., SO2., lead, and sulfates (CARB 2019). Under NAAQS, the County is designated as nonattainment for 8-hour ozone, and attainment/unclassified for PM2.5, PM10, CO, NO2, SO2, lead, and sulfates (CARB 2019).

The area’s air quality monitoring network provides information on ambient concentrations of air pollutants in the SCCAB. VCAPCD operates several monitoring stations in Ventura County, air quality data was obtained from the El Rio station. **Table 3-3** compares a 5-year summary of the highest annual criteria air pollutant emissions collected at this station with applicable CAAQS, which are more stringent than the corresponding NAAQS. Due to the regional nature of these pollutants, O3, PM2.5, and PM10 are expected to be fairly representative of the project site. As indicated in **Table 3-3**, O3 and PM10 standards have been exceeded over the past 5 years.

## Table 3-2. Federal and California Ambient Air Quality Standards and Attainment Status.

| Pollutant | Averaging Time | California Standards Concentration | Federal Primary Standards Concentration |
|---|---|---|---|
| Ozone ($O_3$) | 8-hour | 0.070 parts per million (ppm). (137 micrograms per cubic meter). | 0.070 ppm (137 micrograms per cubic meter.) (*See* Note #1.) |
| | 1-hour | 0.09 ppm. (180 micrograms per cubic meter). | (None; *see* Note #2.) |
| Respirable Particulate Matter ($PM_{10}$) | 24-hour | 50 micrograms per cubic meter. | 150 micrograms per cubic meter. |
| | Annual Arithmetic Mean | 20 micrograms per cubic meter. | (None.) |
| Fine Particulate Matter ($PM_{2.5}$) | 24-hour | (None.) | 35 micrograms per cubic meter. |
| | Annual Average | 12 micrograms per cubic meters. | 12 micrograms per cubic meter. |
| Carbon Monoxide | 8-hour | 9 ppm. (10 milligrams per cubic meter.) | 9 ppm. (10 milligrams per cubic meter). |
| | 1-hour | 20 ppm. (23 milligrams per cubic meter). | 35 ppm. (40 micrograms per cubic meter). |
| Nitrogen Dioxide | Annual Average | 0.03 ppm. (57 micrograms per cubic meters.) | 0.053 ppm. (100 micrograms per cubic meters.) |
| | 1-hour | 0.18 ppm. (339 micrograms per cubic meters.) | 0.100 ppm. (188 micrograms per cubic meters.) |
| Lead | 30-day Average | 1.5 micrograms per cubic meters. | (None.) |
| | Rolling 3-Month Average | (None.) | 0.15 micrograms per cubic meter. |
| | Quarterly Average | (None.) | 1.5 micrograms per cubic meter. |
| Sulfur Dioxide | 24-hour | 0.04 parts per million. (105 micrograms per cubic meter.) | 0.14 parts per million (for certain areas) |
| | 3-hour | (None.) | (None.) |
| | 1-hour | 0.25 parts per million. (655 micrograms per cubic meter.) | 0.075 parts per million. (196 micrograms per cubic meter.) |
| Sulfates | 24-hour | 25 micrograms per cubic meter. | No federal Standard. |
| Hydrogen Sulfide | 1-hour | 0.03 parts per million. (42 micrograms per cubic meter.) | No federal Standard. |
| Vinyl Chloride | 24-hour | 0.01 parts per million. (26 micrograms per cubic meter.) | No federal Standard. |

**Notes:**

#1. On October 1, 2015, the national 8-hour ozone ($O_3$) primary and secondary standards were lowered from 0.075 to 0.070 ppm.
#2. 1-Hour ozone standard revoked effective June 15, 2005, although some areas have continuing obligations under that standard.
Source: CARB 2016

## Table 3-3. Ambient Air Quality Monitoring Data Measured at the El Rio Monitoring Station.

| Pollutant Standards | 2015 | 2016 | 2017 | 2018 | 2019 |
|---|---|---|---|---|---|
| **1-Hour Ozone** | | | | | |
| Maximum 1-hour concentration (ppm) | 0.070 | 0.084 | 0.084 | 0.072 | 0.078 |
| Days Exceeding[a] CAAQS 1-hour (>0.09 parts per million) | 0 | 0 | 0 | 0 | 0 |
| **8-Hour Ozone** | | | | | |
| National maximum 8-hour concentration (ppm). | 0.066 | 0.071* | 0.071* | 0.062 | 0.070 |
| State max. 8-hour concentration (ppm). | 0.066 | 0.071* | 0.072* | 0.062 | 0.070 |
| Days Exceeding[a] NAAQS 8-hour. (>0.075 ppm) (*See* note #1.) | 0 | 0 | 0 | 0 | 0 |
| Days Exceeding[a] CAAQS 8-hour. (>0.070 ppm) (*See* note #1.) | 0 | 1 | 1 | 0 | 0 |
| **Particulate Matter (PM10)** | | | | | |
| National max. 24-hour concentration (micrograms per cubic meter). | 93.3 | 105.0 | 287.9* | 209.0* | 187.8* |
| State max. 24-hour concentration (micrograms per cubic meter). | 92.0* | 101.6* | 286.0* | 208.4* | 192.4* |
| State max. 3-year average concentration (micrograms per cubic meter). | 27 | 27 | 29 | 29 | 29 |
| State annual average concentration (micrograms per cubic meter). | 25.6 | N/A | 29.0 | 26.6 | N/A |
| Days Exceeding[a] NAAQS 24-hour (>150 micrograms per cubic meter). | 0 | 0 | 1 | 2 | 2 |
| Days Exceeding[a] CAAQS 24-hour (>50 micrograms per cubic meter). | 6 | N/A | 29.5 | 21 | N/A |
| **Particulate Matter (PM2.5)** | | | | | |
| National max. 24-hour concentration (micrograms per cubic meter). | 25.5 | 22.7 | 81.3* | 41.2* | 25.5 |
| State max. 24-hour concentration (micrograms per cubic meter). | 25.5 | 22.7 | 81.3 | 41.2 | 25.5 |
| State annual average concentration (micrograms per cubic meter). | 9.5 | 8.1 | N/A | 8.3 | N/A |
| Days Exceeding[a] NAAQS 24-hour (>35 micrograms per cubic meter). | 0 | 0 | 4.1 | 1.0 | 0 |

Notes:

* = Values in excess of applicable standard.

N/A =There was insufficient (or no) data available to determine the value.

2018 is the latest year of data available as of preparation of this Chapter.

#1. An exceedance is not necessarily a violation. Sources: CARB 2019.

### *3.3.2 Discussion*

**#3 -a and b. Conflict with or obstruct implementation of the applicable air quality plan? Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

The VCAPCD has established direct impact thresholds of 25 pounds per day of reactive organic compounds (ROC) and the same for nitrogen oxides ($NO_x$) and cumulative impact thresholds of 2 pounds per day of ROC and the same for $NO_x$. The *Ventura County Air Quality Assessment Guidelines* states that an environmental document for a proposed project must address a projects consistency with the Air Quality Management Plan (AQMP). Project consistency with the AQMP can be determined by comparing the actual population growth in the county with the projected growth rates used in the AQMP. However, a project that conforms to the applicable General Plan designation and has the VCAPCD cumulative threshold of 2 pounds per day of ROC and NOx, is not required to assess consistency with the AQMP. Consequently, a project with emissions below these levels is also considered to have a less-than-significant cumulative adverse air quality impact. (VCAPCD 2003). Additionally, the *Ventura County Air Quality Assessment Guidelines* state that a project that may be reasonably expected to generate fugitive dust emissions in such quantities as to cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which may endanger the comfort, repose, health, or safety of any such person or the public, or which may cause, or have a natural tendency to cause, injury or damage to business or property (*see* California Health and Safety Code, Division 26, §41700) would have a significant adverse air quality impact (VCAPCD 2003).

The project would generate minimal short-term emissions from the use of equipment needed for exploration activities and from workers commuting to the project site. Only a few pieces of construction equipment would be used as a time and intermittently each day. Additionally, up to five pickup trucks, one water truck, and one small all-terrain utility vehicle would be onsite. The proposed activities would require approximately five round trips each day to transport crew members, materials, and equipment to the project site. Due to the very small amount of construction equipment and truck trips needed each day to complete the proposed project, project activities are not anticipated to generate daily emissions over the established direct impact thresholds. Additionally, the proposed project would not be growth inducing as it would not include construction of new developments. The project would conform to the Ventura County General Plan and is not anticipated to produce cumulative emissions over 2 pounds per day of ROC and NOx. Therefore, direct and cumulative emissions of NOx and ROC would not exceed applicable VCAPCD thresholds.

During construction, a small amount of the particulate matter (PM) emissions would be generated in the form of fugitive dust during ground disturbance activities and in the form of equipment exhaust and re-entrained road dust from vehicle travel. Impacts from PM emissions would be small and intermittent each day of construction. However, the VCAPCD guidelines indicate these fugitive dust emissions are an important issue, and this impact would be considered **potentially significant**. The following mitigation measure has been identified to address this impact.

**Mitigation Measure AQ-1: Best Management Practices to Reduce Fugitive Dust, Reactive Organic Compound, and Nitrogen Oxide Emissions.**

The following measures will be implemented during/following geotechnical exploration activities to the extent possible.

- The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.
- Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (screened water from the District's diversion facilities) should penetrate sufficiently to minimize fugitive dust during grading activities.
- Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:
    - All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally-safe soil stabilization materials, and/or roll-compaction as appropriate. Watering shall be done as often as necessary.
- Graded and/or excavated inactive areas of the construction site shall be monitored by the District at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the project site that are inactive for over 4 days, as determined to be necessary and/or as part of normal District operations. For the geotechnical exploration areas that are located outside of the existing footprint of the Freeman Diversion facility and outside of the Santa Clara River channel, if no further grading or excavation operations are planned for the area, disturbed areas should be seeded with a native seed mix and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.
- Signs shall be posted onsite limiting traffic to 15 miles per hour or less.
- During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite. The site superintendent/supervisor shall use his/her discretion in conjunction with the VCAPCD in determining when winds are excessive.
- Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with the California Division of Occupational Safety and Health regulations.
- Minimize equipment idling time
- Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications
- Lengthen the construction period during smog season (May-October), to minimize the number of vehicles and equipment operating at the same time

- Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible.

Implementation of Mitigation Measure AQ-1 would reduce PM impacts by minimizing fugitive dust from construction activities. Therefore, the impact from the project would be **less-than-significant with mitigation incorporated**.

### #3 -c. Expose sensitive receptors to substantial pollutant concentrations?

Some members of the population are especially sensitive to emissions of air pollutants and should be given special consideration during the evaluation of the project air quality impacts. These people include children, senior citizens, and persons with pre-existing respiratory or cardiovascular illnesses, and athletes and others who engage in frequent exercise, especially outdoors. Sensitive receptors include schools, residences, playgrounds, childcare centers, athletic facilities, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes. The closest sensitive receptor is a residence located approximately 0.6-mile northwest of the project site.

Transport to and from the project and use of construction equipment onsite would generate diesel PM, additionally driving along unpaved roads and ground disturbing activities would generate fugitive dust. However, emissions would be short-term and insignificant due to the small number of equipment that would be operating at any time, there are no sensitive receptors immediately adjacent to the project site that would be exposed to these air pollutants, and effects from toxic air contaminants are typically observed over long-term (many years) exposure periods. Therefore, this impact is considered **less-than-significant**.

### #3 -d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Human response to odors is subjective, and sensitivity to odor varies from person to person. Typically, odors are considered an annoyance rather than a health hazard. However, a person's response to odor can range from psychological (e.g., irrigation, anger, anxiety) to physiological (e.g., circulatory and respiration reaction, nausea, headaches, etc.). The proposed project would not create new objectionable odors. There would be **no impact**.

## 3.4 Biological Resources

**#4. BIOLOGICAL RESOURCES. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #4 -a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #4 -b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #4 -c. Have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | Have Potentially Significant Impact? No.. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #4 -d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #4 -e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #4 -f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### 3.4.1 Environmental Setting

Information presented in this environmental setting is based on observations made during a biological field survey for the proposed project, review of existing biological survey and assessment documents completed for previous activities at the Freeman Diversion facility, and publicly available biological resource databases and documents on species distribution and habitat requirements. The field survey for the proposed project was conducted by a GEI biologist on January 14, 2021 and focused on evaluating potential for special-status species to occur on or adjacent to the work areas and for special-status species and sensitive habitats to be affected by geotechnical exploration activities.

#### Habitat Conditions

Elevation in the work areas ranges from approximately 150 feet above mean sea level at the Upstream and Downstream Work Areas in the Santa Clara River channel to approximately 400 feet on the hillside at Upland Work Area 3. Representative photographs of the work areas are provided in **Appendix A**.

Upland Work Area 1 and the northern portion of Upland Work Area 2 are within developed areas associated with the Freeman Diversion facility and are completely unvegetated. The southern portion of Upland Work Area 2 is sparsely vegetated, primarily with weedy, nonnative grasses and black mustard (*Brassica nigra*) and scattered blue gum (*Eucalyptus globulus*) trees. Upland Work Area 3 and the associated potential access routes are on a relatively steep hillside that supported grazed shrubland before it burned in the October 2019 Maria Fire. Based on observations made during the January 2021 field survey, no shrubs appear to have survived, and the hillside vegetation is currently dominated by early successional weedy non-native grasses and black mustard.

The Upstream and Downstream Work Areas are in the Santa Clara River channel, which is a dynamic system driven primarily by periodic short duration, high intensity flood events (Stillwater Sciences 2007). Stream flow at the Freeman Diversion facility is seasonally variable and most directly influenced by winter rainfall events (typically December-March). Flow can increase dramatically after significant storm events, and such flows typically include high sediment loads. Channel morphology and vegetation are affected primarily by large flood flows, rather than by the moderate discharges that frequently characterize channels in temperate climates. Large winter storms periodically scour out vegetation, which fills back in during periods of lower flows. These factors result in a mixture of riparian vegetation that shifts in extent, structure, and composition in response to deposition, scour, and inundation by large flood flows (Stillwater Sciences 2007).

The in-channel work areas are a mosaic of unvegetated rocky and sandy bars, arroyo willow (*Salix lasiolepis*) thicket (CNPS 2021a), and varying extents of open water, depending on the time of year and recent rainfall amounts. Arroyo willow thicket occurs upstream and downstream of the Freeman Diversion facility, though the upstream areas are generally more sparsely vegetated with young, recently recruited saplings; downstream vegetation cover is more dense and more extensive. Other portions of the channel, outside the work areas, support more developed vegetation, including late-successional riparian scrub and woodland, dominated by arroyo willow, red willow (*Salix laevigata*), sandbar willow (*Salix exigua*), and mulefat (*Baccharis*

*salicifolia*), along with nonnative giant reed (*Arundo donax*) and saltcedar (*Tamarix ramosissima*).

### Federal and State Jurisdictional Waters and Riparian Habitat

The Santa Clara River is a jurisdictional water of the United States and water of the state subject to regulation by the USACE and State Water Resources Control Board (SWRCB) under Sections 404 and 401 of the Clean Water Act, respectively. Based on recent consultation, the SWRCB has delegated it authority to LARWQCB for this project. The Santa Clara River channel and associated riparian vegetation also fall under CDFW jurisdiction pursuant to Section 1602 of the CFGC.

### Special-status Species

For purposes of this analysis, special-status species include plants and animals in one or more of the following categories:

- taxa (i.e., taxonomic categories or groups) officially listed by the state or federal government as endangered, threatened, or rare
- candidates for state or federal listing as endangered or threatened
- taxa that meet the criteria for listing, even if not currently included on any list, as described in state CEQA Guidelines CCR Section 15380
- species identified by CDFW as species of special concern
- species listed as Fully Protected under the CFGC
- plants considered by CDFW to be "rare, threatened, or endangered in California (i.e., List 1B and 2B plants)"

The California Natural Diversity Database (CNDDB) (CDFW 2021) and the California Native Plant Society (CNPS) online Inventory of Rare and Endangered Vascular Plants of California (CNPS 2021b) were reviewed for occurrences of special-status species in the United States Geological Survey Santa Paula 7.5-minute quadrangle, within which the Freeman Diversion facility is located, and the surrounding eight quadrangles (Ojai, Santa Paula Peak, Fillmore, Saticoy, Moorpark, Oxnard, Camarillo, and Newbury Park). United reports observation of special-status species to the CNDDB annually; however, not all observations have been added to the database. A list of federally listed species and designated critical habitat that could be affected by geotechnical exploration activities was obtained from the USFWS Information for Planning and Conservation website (USFWS 2020). The CNDDB, CNPS, and USFWS species lists are provided in **Appendix B** (Note: Not all species tracked in the CNDDB and CNPS inventory and included on species lists meet the definition of special-status species described above.)

A preliminary list of special-status plant, fish, and wildlife taxa to be evaluated for potential to occur in or adjacent to the work areas was developed based on information from previous surveys and assessments, information on species habitat requirements and current distribution, CNDDB species and occurrence information, and the USFWS species list. **Table 3-4** provides information on special-status taxa that were determined to have potential to occur in or adjacent to the work

areas, based on current distribution, known occurrences, habitat and microhabitat requirements, and observations made during the 2021 field survey. These species are discussed further below.

Species eliminated from consideration and not discussed further include those whose current range does not include the project vicinity and those with habitat requirements that are not supported by the work areas. For example, plants, invertebrates, and amphibians that are restricted to vernal pools and other aquatic habitat absent from the work areas and birds and mammals that are restricted to coastal scrub, chaparral, and other upland scrub and woodland habitats are not discussed. In addition, riparian-nesting special-status birds that have not been documented during annual nesting bird surveys also are not addressed because they are known to be absent from the work areas.

Santa Ana sucker (*Catostomus santaanae*) is not included in the federal listing (USFWS 2017) or any state listings of special-status species and therefore is not considered a special-status species based on the definition provided above. However, because CDFW considers Santa Ana sucker a locally significant native fish species in the Santa Clara River, it is specifically addressed in this document.

**Table 3-4. Special-status Species with Potential to Occur in or Adjacent to the Work Areas**

| Species | Status[1] | | Habitat Associations | Potential to Occur on or Adjacent to Work Areas |
|---|---|---|---|---|
| | Federal | State | | |
| **Plants** | | | | |
| white rabbit-tobacco *Pseudognaphalium leucocephalum* | – | 2B.2 | Sandy, gravelly soils in chaparral, cismontane woodland, coastal scrub, and riparian woodland | Moderate; arroyo willow thicket provides marginally suitable habitat, and occurrences are known from the project vicinity. |
| **Fish** | | | | |
| arroyo chub *Gila orcuttii* | – | SSC | Coastal streams, typically with slow-moving water and mud or sand substrate | High; an introduced population occurs in the Santa Clara River. |
| steelhead (southern California distinct population segment [DPS]) *Oncorhynchus mykiss* | E | SSC | Anadromous; coastal streams from the Santa Maria River system south to the Mexico border | High; adults and juveniles migrate through the project area and occur at the Freeman Diversion facility. |
| Pacific lamprey *Entosphenus tridentatus* | – | SSC | Anadromous; coastal streams along the Pacific coast, south to Los Angeles County | Moderate; adults and juveniles migrate through the project area and are now occasionally observed at the Freeman Diversion facility. |
| **Reptiles** | | | | |
| southern California legless lizard *Anniella stebbinsi* and California legless lizard *Anniella* spp. | – | SSC | Variety of habitats, generally in moist, loose soils | Moderate; portions of work areas provide potentially suitable habitat, and numerous occurrences are known from primarily upland locations in the project vicinity. |

## Table 3-4. Special-status Species with Potential to Occur in or Adjacent to the Work Areas

| Species | Status[1] | | Habitat Associations | Potential to Occur on or Adjacent to Work Areas |
|---|---|---|---|---|
| | Federal | State | | |
| coastal whiptail<br>*Aspidoscelis tigris stejnegeri* | – | SSC | Deserts and semi-arid areas with sparse vegetation and open areas; also found in riparian and woodland areas | Moderate; work areas provide potentially suitable habitat, and a recent occurrence is known from upland floodplain approximately 5 miles upstream. |
| coast horned lizard<br>*Phrynosoma blainvillii* | – | SSC | Woodland, scrub, and grassland, most commonly along sandy washes with scattered low bushes | High; work areas provide suitable habitat, and occurrences are known from the river channel in the immediate project vicinity. |
| two-striped garter snake<br>*Thamnophis hammondii* | – | SSC | Streams, creeks, pools and other aquatic habitats and adjacent vegetation types | High; in-channel work areas provide suitable habitat, and occurrences are known from immediate project vicinity. |
| south coast garter snake<br>*Thamnophis sirtalis* | – | SSC | Marsh and upland habitats near permanent water and riparian vegetation | Moderate; work areas provide potentially suitable habitat, and a recent occurrence is known from an upland area within 1 mile. |
| western pond turtle<br>*Emys marmorata* | – | SSC | Permanent or nearly permanent water bodies; nests in sunny uplands near suitable aquatic habitat | High; in-channel work areas provide suitable habitat, and occurrences are known from immediate project vicinity. |
| **Birds** | | | | |
| yellow-billed cuckoo (western DPS)<br>*Coccyzus americanus occidentalis* | T | E | Deciduous riparian woodland with dense understory | Moderate; in-channel work areas provide marginally suitable habitat, and recent occurrences are known from approximately 8 miles upstream. |
| burrowing owl<br>*Athene cunicularia* | – | SSC | Grassland, agricultural land, and other open habitats with natural or artificial burrows or friable soils | Low; upland work areas provide poor-quality habitat and suitable burrows are currently absent. |
| white-tailed kite<br>*Elanus leucurus* | – | FP | Nests in woodlands and isolated trees and forages in grasslands, pasture, and agricultural fields | High; work areas provide suitable foraging and nesting habitat. |
| northern harrier<br>*Circus cyaneus* | – | SSC | Grasslands, field crops, and marshes; nests on the ground in patches of dense, often tall, vegetation | Moderate; work areas provide marginally suitable foraging habitat but are unsuitable for nesting. |
| loggerhead shrike<br>*Lanius ludovicianus* | – | SSC | Savannah, shrublands, and open woodlands with shrubs and small trees for nesting | Moderate; work areas provide marginally suitable foraging and nesting habitat. |
| southwestern willow flycatcher<br>*Empidonax traillii extimus* | E | E | Dense riparian habitats, typically near surface water or saturated soil | Moderate; in-channel work areas provide marginally suitable habitat, and recent occurrences are known from approximately 1 mile downstream. |

**Table 3-4. Special-status Species with Potential to Occur in or Adjacent to the Work Areas**

| Species | Status[1] | | Habitat Associations | Potential to Occur on or Adjacent to Work Areas |
|---|---|---|---|---|
| | Federal | State | | |
| least Bell's vireo *Vireo bellii pusillus* | E | E | Structurally diverse riparian habitat with dense shrub layer | High; known to nest in immediate project vicinity. |
| yellow-breasted chat *Icteria virens* | – | SSC | Riparian habitat, typically with dense shrub layer and open tree canopy | High; known to nest in immediate project vicinity. |
| yellow warbler *Setophaga petechia* | – | SSC | Riparian woodland and scrub, open scrub, and second-growth woodland, primarily near water | High; known to nest in immediate project vicinity. |
| **Mammals** | | | | |
| American badger *Taxidea taxus* | – | SSC | Dry, open areas in various habitats with friable soils and uncultivated ground | Moderate; Upland Work Area 3 provides marginally suitable habitat and occurrences are known from project vicinity. |

[1] Status Definitions
E = Listed as Endangered under the federal or state Endangered Species Act
T = Listed as Threatened under the federal or state Endangered Species Act
SSC = California Species of Special Concern
FP = Fully protected under the California Fish and Game Code
2B.2 = Plant species considered rare or endangered in California but more common elsewhere; moderately threatened in California (20-80% occurrences threatened/moderate degree and immediacy of threat)
Notes: DPS = distinct population segment
Sources: CNPS 2021; CDFW 2021; GEI Consultants, Inc. data collected in 2020; Griffith Wildlife Biology 2020; Hall et al. 2020; Thomson et al. 2016; USFWS 2017, 2020; Booth 2016

*Special-status Plants*

White rabbit-tobacco (*Pseudognaphalium leucocephalum*) is a List 2B perennial herb that occurs in sandy and gravelly soils in chaparral, coastal scrub, cismontane woodland, and riparian woodland of the southwestern United States (CNPS 2021). Numerous occurrences are known from the Santa Clara River and elsewhere in southern California, including within 1 mile upstream of the work areas. Recent nearby occurrences have primarily been on open, sandy elevated river channel benches (CDFW 2021).

*Special-status and Locally Significant Fish*

Arroyo chub (*Gila orcuttii*) is a California species of special concern native to several southern California creeks and rivers and introduced to several others; the Santa Clara River population is considered introduced. Arroyo chub occur in areas of slow-moving water, typically with mud or sand substrate, though they have also been found in pools with gravel, cobble, and boulder substrates (Moyle 2015). The nearest Santa Clara River occurrence documented in the CNDDB is near Fillmore, approximately 13 miles upstream of the Freeman Diversion facility (CDFW 2021); however, the species has been documented anecdotally in the immediate vicinity of the Freeman Diversion in recent years.

Santa Ana sucker is a freshwater fish whose historical range included rivers and larger streams in southern California but that is now restricted to only four watersheds (USFWS 2017). The Santa Clara River population was previously thought to have been introduced, but recent genetic analysis (Richmond et al. 2017) suggests it may in fact be native. However, the ESA listing does not include the Santa Clara River, and USFWS has communicated that this population is healthy and not likely to become federally listed (C. Dellith, pers. comm. 2019). To support fry, juveniles, and adults, Santa Ana sucker habitat must include riffles, runs, and pools with a range of substrates, water depths, and water velocities to provide for successful reproduction and juvenile development and growth of algae as a primary food source (USFWS 2017).

The southern California DPS of steelhead (*Oncorhynchus mykiss*) is federally listed as endangered and a California species of special concern. Adult steelhead typically migrate upstream when stream flows rise during winter storm events (Moyle 2002) and after sandbars at the mouths of the rivers breach (Shapovalov and Taft 1954). The upstream and downstream steelhead migration season is typically considered to be January to June. Depending on rainfall, upstream migration and spawning occurs in winter and early spring, typically from January through March, in most southern California streams. Upstream migrant adults and downstream migrant smolts and kelts have been recorded at the Freeman Diversion facility. Sixteen adult steelhead were observed at the Freeman Diversion facility between 1993 and 2014. All adults, including downstream migrant kelts, were observed in March and April (Booth 2016). In 2020, for the first time since 2012, two adult steelhead were observed in March leaping over the false weir and activating motion-sensor cameras after ascending the Denil fish ladder at the Freeman Diversion. Smolts are typically observed at the Freeman Diversion facility between early March and late May but have been observed as late as mid-July (Booth 2016). In the past, the District operated a downstream migrant fish trap, allowing for the collection of data related to the timing and abundance of smolt migration; however, due to requirements imposed by NMFS, the fish trap has not been operated since April 2014. The in-channel work areas are within designated critical habitat for the southern California DPS and support at least one of the physical or biological features that constitute critical habitat.

Pacific lamprey (*Entosphenus tridentata*) is an anadromous, widely distributed California species of special concern that has declined severely in southern California (Goodman and Reid 2012). Most adult spawning migrations occur between March and late June (Moyle et al. 2015), with peak migration into the Santa Clara River typically occurring in May. Historical records of Pacific lamprey in the Santa Clara River include numerous observations of migrating adults and downstream migrant juveniles and larvae at the Freeman Diversion facility. The Santa Clara River supported the last substantial population in the region, but recent observations have been very limited. The most recent lamprey observations have been a single juvenile in 2006 (Goodman and Reid 2012) and a spawned out adult female in the fish screen bay in April 2017 (UWCD unpublished data).

#### *Special-status Reptiles*

Southern California legless lizard (*Anniella stebbinsi*) and *Anniella* not yet assigned to new species within the *Anniella pulchra* complex are California species of special concern that occur in a variety of sparsely vegetated habitats, including coastal dunes, grasslands, chaparral, and riparian.

Microhabitat requirements include sandy or loose, loamy soils, and high soil moisture may be a key factor (Thomson et al. 2016). Numerous occurrences of legless lizard have been documented in a variety of habitats in the project vicinity, although none of the recent occurrences are from the Santa Clara River corridor (CDFW 2021).

Coastal whiptail (*Aspidoscelis tigris stejnegeri*) is a California species of special concern whose distribution is limited to southern California and northern Baja California. This taxon occurs in a variety of habitats, including coastal scrub, chaparral, riparian, and woodlands. Preferred habitat may be brushy areas in sandy and gravelly washes, but gravelly chaparral and coastal scrub are also used (Thomson et al. 2016). One occurrence is known from upland floodplain habitat approximately 5 miles upstream of the Freeman Diversion facility (CDFW 2021).

Coast horned lizard (*Phrynosoma blainvillii*) is a California species of special concern with a broad coastal and inland distribution. This species occurs in a wide variety of habitats, such as chaparral, sage scrub, annual grassland, and oak and riparian woodland but has narrow microhabitat preferences and requires loose, fine sand for burrowing, open areas for thermoregulation, and shrub cover for refugia (Thomson et al. 2016). The Santa Clara River channel and adjacent uplands provide suitable habitat for coast horned lizard, and individuals have been documented upstream and downstream of the Freeman Diversion facility, including within 0.5 mile (CDFW 2021).

Two-striped garter snake (*Thamnophis hammondii*) is a California species of special concern that occurs in coastal and inland foothills and mountains of southern and central California. This species is primarily aquatic and typically found in or near streams, creeks, and pools; associated vegetation types include willow, oak woodland, coastal sage scrub, chaparral, and coniferous woodland (Thomson et al. 2016). The Santa Clara River channel and adjacent uplands provide suitable habitat for two-striped garter snake, and individuals have been documented in and around the Freeman Diversion facility and within 5 miles upstream of the Freeman Diversion facility (CDFW 2021).

South coast garter snake is a distinct taxon of common garter snake (*Thamnophis sirtalis*) designated as a California species of special concern and thought to be limited to several disjunct extant populations in southern California. This taxon is thought to be restricted to marsh and upland habitats near permanent water and riparian vegetation (Thomson et al. 2016). An individual was recently documented in a California sagebrush (*Artemisia californica*) and grassland area immediately north of the Santa Clara River channel, less than a mile northeast of the Freeman Diversion facility (CDFW 2021).

Western pond turtle (*Emys marmorata*) is a California species of special concern that occurs in a broad range of aquatic habitats. These turtles can temporarily use semipermanent or ephemeral water bodies, though preferred aquatic habitat is deep, still, or slow-moving water with underwater refugia. Structures such as logs, rocks, bedrock outcrops, and exposed banks are required for basking (Ashton et al. 1997). Pond turtles also require upland habitat that is suitable for nesting and overwintering; nesting soils must be loose enough for excavation (Thomson et al. 2016). The Santa Clara River channel and adjacent uplands provide suitable wintering and nesting habitat for western pond turtle. More than 10 to 20 individuals at a time have been observed throughout the

spring and summer months, immediately upstream and downstream of the Freeman Diversion facility. Individuals are also occasionally encountered in the fish trap and fish bay.

*Special-status Birds*

The western DPS of yellow-billed cuckoo (*Coccyzus americanus occidentalis*) is a federally threatened and state endangered breeding migrant that nests in deciduous riparian woodlands with a dense understory near water (Wiggins 2005). Because nests are constructed generally in willow (*Salix* spp.), but foraging occurs in cottonwood (*Populus* spp.) canopy, this subspecies require multi-story structure (Laymon and Halterman 1987). Yellow-billed cuckoo was detected during focused surveys conducted in 2018 and 2019 approximately 8 miles upstream of the Freeman Diversion facility (Hall et al. 2020) in an area that supports more than 200 acres of high-quality, dense riparian woodland habitat. Despite these cuckoo detections and abundant and accessible food resources, no nesting behavior, nests, or fledglings were observed. Therefore, it was concluded that an actively breeding population may not have been present (Hall et al. 2020). The District has conducted annual protocol surveys for federally listed birds, including yellow-billed cuckoo, upstream and downstream of the Freeman Diversion facility since 2012. Although habitat along the Freeman Diversion facility reach of the river has been identified as suitable habitat for yellow-billed cuckoo, no individuals have been documented during the District surveys. The work areas provide relatively poor-quality habitat, because vegetation is dominated by young arroyo willow and lacks structural vegetation diversity present in nearby portions of the channel and upstream habitat where individuals have been documented.

Burrowing owl (*Athene cunicularia*) is a California species of special concern that prefers relatively flat, open, dry habitats. It is primarily a grassland species but can thrive in some landscapes that are highly altered by human activity if suitable burrows for roosting and nesting and short vegetation are present. Burrowing owls typically nest and roost in burrow systems created by medium-sized mammals or in artificial features (e.g., drainpipes and culverts) (Gervais et al. 2008). An individual was recently documented on the north side of the river, within 1 mile upstream of the project site. Habitat in and adjacent to the work areas, however, is of relatively poor quality. No suitable artificial burrows were observed in the developed areas, and no natural burrows were observed in the undeveloped areas during the January 14, 2021 field survey. In addition, the relatively steep slopes in Upland Work Area 3 provides poor-quality habitat for this species that prefers flat or gently rolling habitat.

White-tailed kite (*Elanus leucurus*) is fully protected under the CFGC. This species occurs in virtually all California lowlands. White-tailed kite nests in trees in lowland grasslands, agricultural areas, wetlands, oak woodland and savanna, and riparian areas with nearby open habitats (Moore 2000). They forage in grasslands, pasture, and some agricultural crops. Undeveloped upland portions of the project site provide suitable nesting habitat for white-tailed kite, and blue gum trees in Upland Work Area 2 provide potential nest sites.

Northern harrier (*Circus cyaneus*) is a California species of special concern that occurs primarily in lowlands of the state. This species nests and forages in a variety of open habitats, including marsh, wet meadows, borders of lakes, rivers, and streams, grasslands, weedy fields, and some

agricultural crops. Nest are built on the ground in dense, often tall vegetation in relatively undisturbed areas (Davis and Niemla 2008). The work areas provide marginally suitable foraging habitat for northern harrier, but suitable nesting habitat is absent.

Loggerhead shrike (*Lanius ludovicianus*) is a California species of special concern that inhabits lowland and foothill areas with scattered shrubs and trees throughout most of California. On the coastal slope, loggerhead shrikes occur in chaparral, oak woodland, or oak savannah (Humple 2008). The project site provides marginally suitable foraging and nesting habitat for this species.

Southwestern willow flycatcher (*Empidonax trailii extimus*) is a state and federally endangered breeding migrant that nests in dense riparian habitats, typically near surface water or saturated soil (Sogge et al. 2020). In 2016 and 2017, protocol surveys documented a southwestern willow flycatcher pair nesting near Ellsworth Barranca, approximately 1 mile downstream of the Freeman Diversion facility. This pair successfully fledged offspring in each of these years but was not detected in 2018, 2019, or 2020. A single territorial female was detected in 2018 at the same nesting site, but no male was detected, and no breeding or nesting was observed (Griffith Wildlife Biology 2020). In addition, only migrant willow flycatchers were documented elsewhere along the Santa Clara River during other focused surveys in 2018 and 2019 (Hall et al. 2020). As with yellow-billed cuckoo, the Freeman Diversion facility reach of the river provides suitable habitat for southwestern willow flycatcher, but habitat in the work areas is of marginal quality for nesting, and the species is unlikely to nest in or immediately adjacent to the area. The in-channel work areas are within designated critical habitat for southwestern willow flycatcher and support the primary constituent elements that constitute critical habitat.

Least Bell's vireo (*Vireo bellii pusillus*) is a state and federally endangered breeding migrant that is largely associated with early successional riparian scrub and woodland with a developed canopy layer and dense shrub layer. Preferred habitat is typically dominated by willow (*Salix* spp.), mulefat (*Baccharis* spp.), and Fremont cottonwood (*Populus fremontii*). Protocol surveys have documented numerous least Bell's vireo territories and nests in 2012 through 2020. The number of documented least Bell's vireo territories has generally increased each year through 2018, with a slight drop (7%) in 2019, followed by a 20 percent increase in 2020 (Griffith Wildlife Biology 2020). In 2020, male least Bell's vireo territories were located approximately 200 feet from the edge of the Upstream Work Area and immediately adjacent to the Downstream Work Areas boundaries and approximately 200 to 300 feet from the nearest proposed boring locations.

Yellow warbler (*Setophaga petechia*) and yellow-breasted chat (*Icteria virens*) are breeding migrant California species of special concern that nest in riparian habitat. Yellow warblers generally occupy riparian vegetation in close proximity to water along streams and in wet meadows (Heath 2008). Chats occur in blackberry, wild grape, and other typically riparian vegetation that forms dense thickets and tangle (Comrack 2008). Numerous territorial singing males of both species are present each breeding season in the vicinity of the Freeman Diversion facility (Griffith Wildlife Biology 2020).

*Special-status Mammals*

American badger is a California species of special concern that occurs in a variety of habitats but is most abundant in grassland and dry, open shrubland and forest with friable soils for burrowing (CDFW 2021). Badgers can use marginal habitat (e.g. agriculture, residential areas, roadsides) at the edge of intact habitat patches, but they do not appear to persist in fragmented habitat (Quinn 2008). Potential evidence of badger (i.e., distinctive diggings) was documented in 2008 at two locations along the ridgeline southwest of the project site, approximately 0.5 to 1 mile from Upland Work Area 3 (CDFW 2021), and badgers occasionally forage in the District recharge basins 2 to 3 miles southwest of the Freeman Diversion facility.

### *3.4.2 Discussion*

**#4 -a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the United States Fish and Wildlife Service?**

One special-status plant species and 19 special-status wildlife species were identified as having potential to occur in or adjacent to the work areas, as discussed above in this section. Potential for geotechnical exploration activities to impact these species is discussed below.

#### Special-status Plants

The Upstream and Downstream Work Areas provide suitable habitat for the perennial herb white rabbit-tobacco, although nearby documented occurrences have different microhabitat conditions from the project site and the species has not been previously identified on or in the immediate vicinity of the project site. Disturbance within the in-channel work areas is anticipated to be limited to approximately 0.2 acre of potentially suitable habitat in which boring equipment and associated vehicles would operate. This represents a very small fraction of suitable habitat in the Santa Clara River channel, which includes an approximately 1.5-mile channel reach beginning approximately 0.75 mile upstream of the project site, where more than 700 white rabbit-tobacco plants were documented in 2018 (CDFW 2021). There would be no permanent habitat loss, and potential impacts would be limited to short-term, vehicle-related disturbance. In addition, equipment would be washed before accessing work areas in the river channel, thereby minimizing the introduction or spread of nonnative invasive species that could degrade habitat quality. Therefore, conducting the geotechnical explorations is very unlikely to have a substantial adverse effect on the local population of white rabbit-tobacco, if individuals occur in the work areas, and this impact would be **less than significant**.

#### Special-status and Locally Significant Fish

Potential for direct effects on steelhead and Pacific lamprey would be avoided primarily by conducting in-channel borings outside the migration season for these species. In addition, lamprey numbers in the vicinity of the Freeman Diversion facility appear to have declined substantially in the past 20 years, and the species is very unlikely to be present in the vicinity when borings occur. Arroyo chub and Santa Ana sucker are also unlikely to be present, because in-channel borings

would occur at the end of the dry season, when little, if any habitat is present. However, there is a small potential for arroyo chub, Santa Ana sucker, and juvenile steelhead to be present, if open water occurs in the in-channel work areas or access routes. If present, individuals could be directly impacted during flow re-routing or dewatering, if necessary, to complete the borings.

Designated critical habitat for steelhead could be indirectly impacted by boring activities. Up to approximately 0.05-acre of arroyo willow thicket could require trimming/cutting to allow equipment access to in-channel boring locations. Based on January 2021 field observations, this vegetation would primarily be limited to recently recruited saplings. An additional approximately 0.15 acre of the channel would be temporarily impacted by equipment access to the boring locations. However, access would primarily occur along existing sparsely vegetated in-channel routes, and disturbance outside of existing access routes would be limited to driving over the ground surface (no grading). These habitat effects are anticipated to be short-term, likely only a single steelhead migration season. Because the Santa Clara River is a dynamic system subject to a regular disturbance regime, instream habitat features are altered each year by winter flows, often substantially. Therefore, the very small amount of potential short-term, temporary adverse effects to in-channel vegetation would have a minor effect on steelhead, Pacific lamprey, Santa Ana sucker, and arroyo chub habitat.

Equipment operation in and adjacent to the river channel could result in additional indirect effects. Measures would be implemented to minimize potential for equipment operation in the channel to introduce or spread of nonnative invasive species that could degrade habitat quality. However, if equipment is not properly maintained and inspected, or equipment refueling is not properly conducted, accidental leaks of hazardous materials (e.g., fuel, oil, other fluids) could occur directly in the channel or be transported into the channel via runoff. Exposure to such materials can result in adverse behavioral responses and sublethal and lethal effects in affected fish, depending on the exposure level. Potential direct impacts to steelhead, if present in the work areas, and potential indirect impacts associated with habitat degradation could have a substantial adverse effect on the southern California steelhead due to the status of the population in the Santa Clara River, and this impact would be **potentially significant**. Potential direct and indirect impacts to Pacific lamprey, Santa Ana sucker, and arroyo chub, if present in the work areas, could also result in an adverse effect to these species; however, based on their known status in the Santa Clara River, these effects are not likely to be substantial. The following mitigation measure has been identified to address these direct and indirect impacts and avoid adverse effects to special-status and locally significant fish. While focused largely on measures to protect steelhead, the mitigation measure also includes actions to protect Pacific lamprey, Santa Ana sucker, and arroyo chub, if present.

**Mitigation Measure BIO-1: Implement Measures to Minimize Potential for Direct Impacts on Steelhead and Steelhead Habitat.**

To minimize potential direct effects of geotechnical explorations on steelhead and its habitat, the District will ensure that the following measures are implemented:

- Heavy equipment operation will be limited to the minimum area necessary. Work area boundaries will be clearly identified before investigations begin, and no work will

occur outside these work areas unless approved by the District Environmental Scientist responsible for permit compliance. All boundary markers will be removed immediately after work in a given area is complete.

- Before entering the site, all equipment will be washed at a location designated by the District Environmental Scientist responsible for permit compliance to ensure equipment is free of mud, algae, snails, and other debris. All equipment will be inspected before leaving the site to ensure it is free of mud and other debris that could contain invasive species.
- If an in-channel boring location is vegetated and vegetation removal is not covered by the existing Freeman Diversion Maintenance Project authorizations, the boring will be moved to an alternate location that does not require vegetation trimming/cutting, if feasible. If an appropriate alternative location that would provide the necessary geotechnical data and avoid vegetation trimming/cutting is not available, vegetation impacts will be limited to trimming/cutting the minimum area and extent required to allow access. Vegetation may be cut to near ground level, but complete removal will not occur. Cut vegetation will be immediately removed from and deposited where it cannot re-enter the channel.
- If areas not covered by the existing Freeman Diversion Maintenance Project authorizations require flow rerouting or dewatering to access boring locations in the Upstream or Downstream Work Area, surveys will be conducted before flow rerouting or dewatering begin in an effort to identify steelhead and other native fish. Relevant areas will be surveyed by two or more biologists/technicians knowledgeable and experienced in steelhead and other native fish identification and ecology. Survey methods may include bank observations and snorkeling. Snorkeling will be conducted when water depth (e.g., >1 foot) or in-channel complexity (e.g., woody debris or riprap) causes bank observations to be ineffective. If conditions are not conducive for confidently surveying the work area for steelhead presence, activities in the affected area will be postponed until such conditions exist or alternate means of access (e.g., crane) will be employed. If steelhead are observed, flow rerouting and/or dewatering in occupied areas will not occur, and the affected boring(s) will be relocated as necessary. If steelhead are not observed, a biologist knowledgeable and experienced in steelhead identification and ecology will be on the site during flow rerouting and/or dewatering to exclude native fish and confirm steelhead do not enter the flow rerouting/ dewatering area. Pacific lamprey ammocoetes found present in the flow rerouting/ dewatering area will be collected and relocated to adjacent suitable habitat.
- All project work will cease if a listed species is observed in the work areas until the individual(s) leaves on its own accord, or until USACE completes additional consultation with USFWS and/or NMFS, as appropriate. If a listed species is observed, project personnel will notify the designated District Environmental Scientist who will be responsible for contacting the USACE as well as CDFW.
- A worker environmental awareness training will be provided by a District Environmental Scientist or qualified biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated handout will include contact information for the District Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive

species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and the District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and the District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations.

Implementation of Mitigation Measure BIO-1 would avoid and minimize direct impacts by establishing work area boundaries, not allowing any work outside of these areas, avoiding introduction or spread of nonnative invasive species, minimizing vegetation removal/trimming, conducting surveys for steelhead and other native fish prior to dewatering or water diversion, and conducting worker environmental training. Overall, through implementation of this mitigation measure, direct impacts to steelhead would be avoided by ensuring in-channel activities only occur if boring locations and any potential flow re-routing or dewatering areas are free of steelhead, while also avoiding direct impacts to Pacific lamprey, Santa Ana sucker, and arroyo chub to the extent practicable. Further, implementation of Mitigation Measures AQ-1, GEO-1 and HAZ-1 would substantially avoid and minimize indirect impacts to special-status and locally significant fish species through the control of fugitive dust, implementation of erosion and sediment control measures, and the control of hazardous materials to avoid the potential for accidental hazardous material contamination. Therefore, potential direct and indirect impacts to special-status and locally significant fish species and their habitat would be **less than significant with mitigation incorporated**.

### Special-status Reptiles

Geotechnical exploration activities would temporarily disturb habitat suitable for six reptile species of special concern that have moderate or high potential to occur in the work areas. This disturbance would be limited to short-term equipment and vehicle movement in a very small portion of the channel (approximately 0.2 acre); approximately 1 acre of undeveloped uplands, composed of a mixture of previously disturbed land and vegetated habitat, also would be disturbed by borings, test pits, and associated off-road access. This temporary habitat disturbance would not have a substantial adverse effect on special-status reptiles. However, equipment and vehicle movement could result in individuals being crushed. Although in-channel borings would occur after the peak nesting season for western pond turtle, unhatched eggs could still be present and potentially impacted if nests occur in the work areas. Because there is potential for individuals of special-status reptiles to be directly or indirectly impacted, and some of these species have limited distributions or are known from few locations in the region, this could result in a substantial adverse effect on local populations, and this impact would be **potentially significant**. The following mitigation measure has been identified to address this impact.

**Mitigation Measure BIO-2: Minimize Potential for Destruction of Western Pond Turtle Nests and Injury or Death of Special-status Reptiles.**

To minimize potential direct effects of geotechnical explorations on special-status reptiles, the District will ensure that the following measures are implemented:

- Within 10 days before in-channel geotechnical exploration activities begin, a qualified biologist will conduct an initial survey for western pond turtles along the access in-channel access routes and work areas. If a pond turtle is found, it will be allowed to move out of the area on its own. If evidence of an unhatched nest is found, a no-disturbance buffer will be established and implemented around the nest until the eggs have hatched and the young have dispersed from the area.
- Immediately before geotechnical exploration activities begin in a given area, a qualified biologist will survey the anticipated disturbance and/or dewatering area for special-status reptiles. If any individuals of target species are found, they will be allowed to move out of the area on their own before equipment moves into the area. If an individual does not leave the area and the biologist determines it can be safely captured, the animal will be relocated to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not begin until the animal has been relocated or is thought to have left the area on its own.
- A worker environmental awareness training will be provided by a District Environmental Scientist or qualified biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated handout will include contact information for the Districts Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations.
- If a pond turtle or other possible special-status reptile is discovered in a work area during geotechnical exploration activities, it will be allowed to move out of the area on its own. If the individual does not leave the work area, the District Environmental Scientist will be notified, and a qualified biologist will attempt to safely capture and relocate the animal to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not resume until the animal has been relocated or is thought to have left the area on its own.

Implementation of Mitigation Measures BIO-2 would reduce this impact by conducting surveys prior to geotechnical activities, conducting workers environmental training, and allowing special-status reptiles found in the work areas to move out of the area on their own. Further, implementation of Mitigation Measure BIO-1 would also minimize direct impacts to special-status reptiles by establishing work area boundaries, not allowing any work outside of these areas,

avoiding introduction or spread of nonnative invasive species, minimizing vegetation removal/trimming, and conducting worker environmental training. The implementation of Mitigation Measures AQ-1, GEO-1 and HAZ-1 would substantially avoid and minimize indirect impacts to special-status fish species through the control of fugitive dust, implementation of erosion and sediment control measures, and the control of hazardous materials to avoid the potential for accidental hazardous material contamination. Therefore, potential direct and indirect impacts to special-status reptile species and their habitat would be **less than significant with mitigation incorporated**.

### Special-status Birds

Nine special-status bird species have low to high potential to occur in the work areas. Because all geotechnical exploration activities would occur outside the nesting season, there would be no adverse effects on active nests of these species. Burrowing owl is not anticipated to occur in or adjacent to the work areas, because habitat for this species is poor, and no suitable natural or artificial burrows are present.

Special status birds will not be in the area (i.e., will have embarked on their southward migration) when project activities result in temporary disturbance to vegetation. The area where project activities are proposed is within the active channel of the Santa Clara River, which is normally subject to a natural cycle of disturbance (i.e., habitat-type conversion and vegetation successional stage reset) due to flood flows. The proposed project activities would result in temporary disturbance to existing foraging habitat for special-status riparian birds; however, no type conversion will occur.

As described above under the special-status fish impact discussion, riparian vegetation trimming/cutting to allow equipment access to in-channel boring locations would be limited to a maximum of approximately 0.05 acre of primarily recently recruited saplings. This very small amount of potential short-term, temporary adverse effects to in-channel vegetation would have a minor effect on habitat for riparian special-status birds, including critical habitat for southwestern willow flycatcher. However, temporarily disturbed vegetation is expected to quickly recolonize disturbed areas following project activities, fully restoring the ecological function of these areas by the time special status riparian birds are returning to the area to nest and forage (i.e., subsequent spring). Impacts on upland vegetation would be limited primarily to nonnative ground cover because geotechnical exploration activities would occur in developed and recently burned areas in which native vegetation is currently nearly absent. If tree trimming is required to facilitate access to some boring and test pit locations, it is anticipated to be limited to blue gum trees. These minor habitat-related impacts would not have a substantial adverse effect on special-status birds, and this impact would be **less than significant**.

### Special-status Mammals

Based on regular disturbance at the Freeman Diversion facility facilities and marginal quality of habitat in the upland work areas, American badger is unlikely to den on or immediately adjacent to the work areas. More remote areas in the hills and canyons to the south where apparent badger diggings have been observed provide much higher-quality habitat and are more likely to support

active dens. Movement of project equipment and support vehicles would adhere to established speed limits along the District access routes, and travel speeds in the work areas would be very slow. Therefore, potential for a badger moving through the work area or along access routes to be struck by project-related traffic is extremely low. Therefore, impacts on American badger would be **less than significant**.

### #4 -b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?

The Santa Clara River channel and associated riparian vegetation are protected under the CFGC. In addition, the river channel is designated critical habitat for steelhead and southwestern willow flycatcher. Up to a maximum of approximately 0.05 acre of arroyo willow thicket could require trimming/cutting to allow equipment access to in-channel boring locations. Based on January 2021 field observations, this vegetation would primarily be limited to recently recruited saplings. These habitat effects are anticipated to be very short-term because the Santa Clara River is a dynamic system subject to a regular disturbance regime, and instream habitat features are altered each year by winter flows, often substantially. Therefore, the very small amount of potential short-term, temporary adverse effects to in-channel vegetation associated with conducting the geotechnical explorations would not have a substantial adverse effect on riparian habitat or designated critical habitat in this portion of the river channel. This impact would be **less than significant.**

### #4 -c. Have a substantial adverse effect on state- or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Santa Clara River is state- and federally protected water. Disturbance of the river channel would be limited to conducting borings and associated equipment and support vehicle access. Disturbance within the in-channel work areas and access routes is anticipated to be limited to approximately 0.2 acre in which boring equipment and associated vehicles would operate. However, most of this disturbance would occur along existing in-channel routes, and disturbance outside of existing access routes would be limited to driving over the ground surface (no grading). In-channel borings would be conducted in the fall, when water levels are at their lowest, and inundated areas would be avoided to the maximum extent practicable. However, if necessary, boring locations and access routes would be dewatered as described above under the special-status fish impact discussion. Therefore, potential for temporary increases in turbidity and other water quality degradation would be minimized. There would be no permanent impact on waters, and temporary impacts would be limited to short-term disturbance associated with equipment and potentially dewatering. This would not result in a substantial adverse effect on state- or federally protected waters. Therefore, this impact would be **less than significant**. In addition, appropriate authorizations would be obtained from USACE and SWRCB, as needed, and all conditions of these permits would be met.

### #4 -d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

The Santa Clara River and adjacent undeveloped habitat provides a corridor and/or primary route for fish and wildlife migration and movement, including at the project site. Note that the Santa Clara River is identified in County Ordinance 4537, Habitat Connectivity and Wildlife Corridors, as a mapped wildlife corridor. Under the County Ordinance, vegetation modification associated with the project would be exempt from a discretionary permit (see Section 8109-4.8.3.2). In-channel borings would occur when the river channel is primarily dry, including from dewatering, if necessary, and would avoid anadromous fish migration periods. Geotechnical exploration activities also would not occur during the bird nesting season. In addition, activities would be conducted sequentially and limited to a very small proportion of the river corridor or adjacent upland area at any one time. This would not interfere substantially with fish or wildlife movement or corridor use during the day, and no activities would occur at night. For these reasons, impacts on fish and wildlife migration, movement, and nursery site use would be **less than significant**.

### #4 -e and f. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The *Conservation and Open Space Element of the Ventura County 2040 General Plan* (County of Ventura 2020) includes goals and policies designed to identify, preserve, protect, and restore sensitive biological resources and their supporting habitats, wetland and riparian habitats, coastal habitats, habitat connectivity and wildlife corridors, and habitats and species identified as "locally important" by the County. Geotechnical explorations would result in only minor, temporary impacts on some of these resources and would not conflict with goals or policies of the Conservation and Open Space Element. In addition, there are no approved Habitat Conservation Plans or Natural Community Conservation Plans within Ventura County. Therefore, there would be **no impact** related to these issues.

## 3.5 Cultural Resources

**#5. CULTURAL RESOURCES. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #5 -a. Cause a substantial adverse change in the significance of a historical resource pursuant to CCR Section 15064.5? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #5 -b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CCR Section 15064.5? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #5 -c. Disturb any human remains, including remains interred outside of dedicated cemeteries? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |

### *3.5.1 Environmental Setting*

The Freeman Diversion facility is located on the Santa Clara River, approximately 4 miles southwest of the city of Santa Paula, Ventura County, California, and is situated on the southeastern boarder of the "Santa Paula Y Saticoy Rancho" Section of Township 3 North and Range 21 West (on the San Bernardino Meridian).

Cultural resources are defined as buildings, sites, structures, or objects, each of which may have historic, architectural, archaeological, cultural, or scientific importance. The following is a regional culture history that emphasizes historical patterns that had the potential of creating cultural resources within the project site. The culture history comes from *California Prehistory: Colonization Culture and Complexity* (Glassow et al. 2007:191-214).

*The Paleo-Indian Period* (11,000 to 7,000 Calibrated [Cal.] B.C.) of the larger region left some of the earliest evidence for humans in California; including Clovis-style spearheads, radiocarbon dated human remains, and archaeological sites dating to between 8,000 and 7,000 cal. B.C. The *Early Period* (~7,000 to 2,000 cal B.C.) began with the Millingstone Horizon, which is identified by millingstones and stone manos, a diversity of flaked-stone tools, complete *Olivella* sp. shell-beads, and pit houses located on the high-ground near rivers. During the later Early Period millingstones became more elaborate, corner-notched spearheads appeared, villages became larger, and more bead types were made. Some cultural patterns of the ethnographically described Chumash emerged during the *Middle Period* (2,000 to A.D. 1,100), including stylized mortars and pestles, circular shell fishhooks, notched net-weights, and the use of asphaltum to make spears, baskets, and other tools. During the second half of the Middle Period both the distinctive *tomol* plank-canoe and the bow and arrow were developed, and the diversity of *Olivella* sp. beads

increased. Throughout the Middle Period the population continued to grow, with villages becoming larger and more permanent, with some locations occupied until the historic-era. Also, during this period, craftsmanship became more sophisticated, there was greater social stratification, and regional trade networks emerged. Most of these patterns continued into the *Late Period* (A.D. 1,100 to circa 1800), and by A.D. 1300 the historic-era cultural elements of Chumash society had largely been developed.

The project site is in the ethnographic territory of the Ventureño Chumash and is near the former village of *Śatikuy* (present day Saticoy). Settlements were composed of several communal houses, store houses, sweat lodges, and a village cemetery. Within Chumash society, wealth, *tomol* canoes, and social status were inherited along patrilineal lines. The power of the chief, however, was limited to leading ceremonies and war parties, and was subject to approval by all within a village.

The historic-era began with the arrival of Spanish explores between 1542 and 1769, with European settlement in Ventura County truly beginning in 1782 when Mission San Buenaventura was established. Shortly after the mission was founded, farms and ranches were established throughout the region (Santa Paula Chamber of Commerce 2021), including Rancho Santa Paula Y Saticoy where the project site is located. Between 1843 and the late 19th century farming and ranching remained the major industries of the Santa Clara Valley, though minimal oil exploration began in the 1860s. During the second half of the 19th century severe droughts hindered farming and ranching operations, and insufficient transportation lines prevented further development of the area (County of Ventura 2000:9-10). In the 1870s water companies formed and started to build irrigation infrastructure, and in 1887 the Southern Pacific Railroad was built through the Santa Clara Valley. Irrigation systems and the railroad together allowed agriculture to become profitable in the valley and the oil industry to expand. Grain crops were replaced with walnut, olive, apricot, and citrus orchards over the next few decades; and the population and communities of the Santa Clara Valley grew dramatically over after this time (San Buenaventura Research Associates 1996:3-4). As part of this growth, and the continued focus on conversing water in the region, the Santa Clara Water Conservation District was established in 1927, and became the District in 1950. The Freeman Diversion facility was constructed in 1991.

### Methods and Findings

The cultural resources investigations carried out for the proposed project included a records search at the South Central Coast Information Center (SCCIC), archival research, correspondence with the Native American Heritage Commission (NAHC), and archaeological and built environment field surveys of the project area.

#### *Record Search*

In January 2021, GEI archaeologist Mathew Chouest requested an in-house records search of the area of potential effect (APE) and a surrounding 0.5-mile radius from the SCCIC; the results of the record search were received on January 22, 2021. The records search included a review of the Santa Paula USGS 7.5-minute series topographic cultural resource base map held at the SCCIC and associated records. The SCCIC cultural resource map review indicates that *no previously*

*recorded resources are within the project site*, or within 0.5-mile of the Project APE (SCCIC File Number: 21965.8114).

Two cultural resource study reports (VN-00785, -01262) cover the southeastern portion of the project site. The two reports are nearly identical, with the later report (VN-01262) being an update to the early report. The reports discuss the discovery of a scatter of shells near the project site that at first appeared to be an archaeological resource, but after an extensive identification effort, was determined to be fossilized and from long extinct shellfish species. No other archaeological resources or potential archaeological resources were identified in the reports, which cover the western portion of South Mountain.

*Field Surveys*

An archaeological pedestrian survey of the APE was conducted by GEI archaeologist Ben Curry, PhD, Registered Professional Archaeologist, on January 14, 2021. Intensive survey methods with 3-meter transects were employed within a 30-meter-diameter area around the proposed locations of the 12 boreholes and 6 test pits. BHR-13 is on private land and was not surveyed due to not having access permission from the landowner. Reconnaissance survey methods were employed for the access routes, seismic refraction transect path, and the remainder of the work areas. The portions of access routes and seismic refraction transect paths near BHR-13 were also not surveyed due to not having access to the neighboring private land.

A piece of shell and two pieces of possible lithic debitage were identified near BHR-5, however, the shell appeared to be fossilized and is likely of similar origin as those documented in earlier archaeological surveys, and the possible lithic debitage likely resulted from a fire in 2019 or previous access route construction and do not appear cultural or associated with a larger archaeological resource. No other archaeological or historic-era built environment resources were identified during the pedestrian survey.

### *3.5.2 Discussion*

#### a, b) Cause a substantial adverse change in the significance of a historical resource pursuant to in CCR Section 15064.5? Cause a substantial adverse change in the significance of an archaeological resource pursuant to CCR Section 15064.5?

Under CEQA, public agencies must consider the effects of their actions on "historical resources." CEQA defines an "historical resource" as any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California Historical Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (California PRC Section 5024.1, 14 CCR Section 4850). The

eligibility criteria for listing in the CRHR are similar to those for NRHP listing but focus on importance of the resources to California history and heritage.

A cultural resource may be eligible for listing in the CRHR if it:

1. is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage
2. is associated with the lives of persons important in our past
3. embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of an important creative individual or possesses high artistic values
4. or has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting one or more of the above criteria, resources eligible for listing in the CRHR must retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is evaluated with regards to the retention of location, design, setting, materials, workmanship, feeling, and association (OHP 1999).

No previously recorded archaeological resources of 50-years old or older built environment resources are present within the project site or within 0.5-mile of the project site, and no built environment resources were discovered during the pedestrian survey. A piece of shell and two potential lithic debitage flakes were identified in the southern portion of the project site, but these items are likely not cultural related materials and do not appear associated with an archaeological resource. No other archaeological resources or potential archaeological resources were identified during the pedestrian survey. However, the project site is located along the Santa Clara River, which on a regional level is the location of several known historic-era Native American villages and prehistoric archeological sites. Native American villages and archaeological sites in the broader area are typically located on high ground along rivers. The overall project site setting, in an active river channel and on a river bank at the foot of a steep hillside, makes it very unlikely that a previously unknown buried archaeological resource meeting CRHR significance criteria would be in this location, but there remains a small possibility that a buried resource could be encountered during project-related ground-disturbing activities. If this were to occur, then this impact would be considered **potentially significant**. The following mitigation measure has been identified to address this impact.

> **Mitigation Measure CR-1: Address Previously Undiscovered Historic Resources, Archaeological Resources, and Tribal Cultural Resources.**
>
> If cultural resources are identified during Project-related ground-disturbing activities, all ground disturbing work in the immediate vicinity of the find should cease immediately and the District should be notified. In the event of an inadvertent discovery, the District will retain a qualified archaeologist to assess the significance of the find, make a preliminary determination, and if appropriate, provide recommendations for a treatment. Any treatment

plan should be reviewed by the District and appropriate permitting agencies prior to implementation. Ground-disturbing activities should not resume near the find until the treatment, if any is recommended, is complete or the qualified archaeologist determines the find is not significant.

Implementing Mitigation Measure CR-1 would reduce this impact because the find would be assessed by an archaeologist and the treatment or investigation would be conducted in accordance with CEQA guidelines regarding cultural resources. Therefore, the impact from the project would be **less-than-significant with mitigation incorporated**.

### c) Disturb any human remains, including remains interred outside of dedicated cemeteries?

No human remains have been discovered at the project site and it is not anticipated that human remains, including those interred outside of dedicated cemeteries, would be discovered during project ground-disturbing activities. There is no indication from the records searches or pedestrian survey that human remains are present within the project site locations. However, in the event that human remains, including those interred outside of formal cemeteries and including associated items and materials, are discovered during subsurface activities, the human remains and associated items and materials could be inadvertently damaged. If this were to occur, then this impact would be considered **potentially significant**. The following mitigation measure has been identified to address this impact:

**Mitigation Measure CR-2: Avoid Potential Effects on Undiscovered Burials.**

If human remains are found, the District shall be immediately notified. The California Health and Safety Code requires that excavation be halted in the immediate area and that the Ventura County coroner be notified to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, the coroner must contact the NAHC by telephone within 24 hours of making that determination (Health and Safety Code, Section 7050.5[c]).

Once notified by the coroner, the NAHC shall identify the person determined to be the Most Likely Descendant (MLD) of the Native American remains. With permission of the legal landowner(s), the MLD may visit the site and make recommendations regarding the treatment and disposition of the human remains and any associated grave goods. This visit should be conducted within 24 hours of the MLD's notification by the NAHC (PRC, Section 5097.98[a]). If a satisfactory agreement between interested parties (the MLD, land owner(s), lead agency, etc.) for treatment of the remains cannot be reached, any of the parties may request mediation by the NAHC (PRC, Section 5097.94[k]). Should mediation fail, the landowner or the landowner's representative must reinter the remains and associated items with appropriate dignity on the property in a location not subject to further subsurface disturbance (PRC, Section 5097.98[b]).

Implementing Mitigation Measure CR-2 would reduce this impact because the find would be assessed by an archaeologist and treated or investigated in accordance with state and federal laws. Therefore, impacts from the project would be **less-than-significant with mitigation incorporated**.

## 3.6 Energy

**#6. ENERGY. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #6 -a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #6 -b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.6.1 Environmental Setting*

Electricity in the project area is primarily provided by Southern California Edison Company, while the Southern California Gas Company provides natural gas service (Ventura County 2020a). In 2019, the total electricity consumption for Ventura County was approximately 5344 million kilowatts per hour (kWh) (CEC 2019).

### *3.6.2 Discussion*

#### #6 -a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The proposed project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources. The project would involve short-term and intermittent use of diesel-fueled vehicles and there would not be a substantial long-term increase in energy consumption. Therefore, impacts would be **less than significant**.

#### #6 -b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The Ventura County Regional Energy Alliance (VCREA) has served as a regional Joint Powers Authority since 2002 to address energy planning, conservation, and reliability. VCREA's mission is "to establish Ventura County, its communities and neighboring regions as the leader in developing and implementing durable, sustainable energy initiatives that support sensible growth, healthy environment and economy, enhanced quality of life, and greater self-reliance for the region" (VCREA 2021). The goals for VCREA are to: 1) lead and coordinate regional integrated energy resource planning, 2) develop a long-term, sustainable energy strategy and implementation plan, 3) develop regional capability to respond to energy emergencies and short-term disruptions., 4) increase awareness of and access to conservation, efficiency, and renewable opportunities, 5) add value to, but not duplicate, services offered by public utilities and other regional providers, 6) inform decision makers and stakeholders of energy policy, regulatory, and market changes, and

7) empower Ventura County to lead in research, development, demonstration, innovation, and commercialization of sustainable energy technologies (Ventura County 2020b). Since the proposed project is limited to conducting geotechnical exploration activities, it would not conflict with the goals set by VCREA. Additionally, the proposed project would comply with the state's Climate Commitment to reduce the reliance on non-renewable energy sources by half by 2030 (CEC 2015). There would be **no impact**.

## 3.7 Geology and Soils

**#7. GEOLOGY AND SOILS. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #7 -a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | | |
| #7 -a. i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.) | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #7 -a. ii. Strong seismic ground shaking? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #7 -a. iii. Seismic-related ground failure, including liquefaction? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #7 -a. iv. Landslides? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #7 -b. Result in substantial soil erosion or the loss of topsoil? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |

**#7. GEOLOGY AND SOILS. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #7 -c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #7 -d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated),), creating substantial direct or indirect risks to life or property? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #7 -e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #7 -f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |

### *3.7.1 Environmental Setting*

The project site is located on the following soil types: San Benito clay loam, 50 to 75 percent slopes, Major Land Resource Area 20, and sandy alluvial land (NRCS 2021). Underlying geology of the project site includes unconsolidated surficial gravel and sand alluvial deposits (stream channel) and weakly consolidated surficial gravel alluvial terrace deposits (Dibblee and Ehrenspeck 1992). The Oak Ridge thrust fault is located within the project site. The Oak Ridge fault is a late Quaternary fault meaning displacement has occurred in the past 700,000 years. There are many small Quaternary faults located in the vicinity of the project site, the closest ones being the Wright Road fault, located approximately 0.5 mile south of the project site and an unnamed fault, located approximately 1 mile southeast of the project site (CGS 2015a). There are no Alquisto-Priolo fault zones located within the project site (CGS 2020). The project site is located within a liquefaction zone, as shown on the Ventura County Mapper (Ventura County 2021). Additionally, the project site is located within an area susceptible to landslides (CGS 2020).

### *3.7.2 Discussion*

**#7 -a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**#7 -a. i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)**

The project site is not located within an Alquisto-Priolo Earthquake fault zone. Surface fault rupture is most likely to occur on active faults (i.e., faults showing evidence of displacement within the last 11,700 years). Damage from surface fault rupture is generally limited to a linear zone a few yards wide. Since the proposed project is not located within the vicinity of an active fault, there would be **no impact**.

**#7 -a. ii and iii. Strong seismic ground shaking, Seismic-related ground failure, including liquefaction?**

The proposed project would not pose a direct risk to people during seismic activity. The project is located within a liquefaction zone; however, the project activities are limited to geotechnical explorations, would not be located in an area easily accessible to the public, and would not involve new development. The proposed project would not increase the risk of seismic ground shaking or seismic-related ground failure (CGS 2020). There would be no substantial risk to people or structures from seismic-related activity as a result of the proposed project. Therefore, this impact would be **less than significant**.

**#7 -a. iv. Landslides?**

The project site is located within an area susceptible to landslides (CGS 2015b). However, the project activities are limited to geotechnical explorations, would be located in an area not easily accessible to the public, and would not involve any new developments. Therefore, the project would not result in substantial adverse impacts including risk of loss, injury, or death, and the impact from the project would be **less than significant**.

**#7 -b. Result in substantial soil erosion or the loss of topsoil?**

Grading, stockpiling, and other project activities could result in the temporary and short-term disturbance of soil, which could be expose to rainfall if a storm event were to occur during project implementation. Rainfall of sufficient intensity could dislodge soil particles from the soil surface. Once particles are dislodged, and the storm is large enough to generate runoff, substantial localized erosion could occur. Additionally, eroded soils from project activities could be conveyed to the Santa Clara River channel in runoff. Topsoil may be stripped and stockpiled for later reuse on the site. Soil disturbance could result in substantial loss of topsoil due to wind erosion.

The project focuses on data collection and does not include an operations phase and would not create the potential for soil erosion or loss of topsoil after geotechnical explorations are complete. However, since there is potential for substantial soil erosion and loss of topsoil during project exploration and potential stockpiling activities, the impact from the project would be considered

**potentially significant**. The following mitigation measure has been identified to address this impact.

> **Mitigation Measure GEO-1: Prepare and Implement a Storm Water Pollution Prevention Plan, if required, Implement Erosion Control Best Management Practices, and Comply with Ventura County Standards for Grading and Erosion Control.**
>
> If project activities would disturb more than 1 acre, then activities would be subject to SWRCB's Statewide Stormwater General Permit for Construction (2009-0009-DWQ) requirements construction-related stormwater permit requirements of the NPDES program. Any permits will be obtained by the District before any ground-disturbing construction activity.
>
> If a Construction General Permit is needed, it would also require preparation of a SWPPP that identifies BMPs for erosion control and to prevent or minimize the introduction of contaminants into surface waters. Such BMPs could include, but would not be limited to, silt fencing, straw bale barriers, fiber rolls, storm drain inlet protection, hydraulic mulch, and a stabilized construction entrance. The SWPPP will include development of site-specific structural and operational BMPs to prevent and control impacts on runoff quality, measures to be implemented before each storm event, inspection and maintenance of BMPs, and monitoring of runoff quality by visual and/or analytical means. The SWPPP will also include dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. The BMPs shall be clearly identified and maintained in good working condition throughout the construction process. The construction contractor shall retain a copy of the approved SWPPP on the construction site and modify it as necessary to suit specific site conditions.
>
> If it's determined that a construction General Permit and SWPPP is not necessary for the proposed project, the District would still identify and implement BMPs for erosion control, similar to those listed above, to prevent contaminants entering surface water.
>
> The District would obtain and comply with all provisions of a Ventura County Grading Permit, if required.

Implementing Mitigation Measure GEO-1 would minimize the potential impact from construction-related erosion because a SWPPP and/or BMPs would be implemented to prevent and control pollution and minimize and control runoff and erosion. Therefore, the impact from the project would be **less-than-significant impact with mitigation incorporated**.

### #7. -c and d. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or offsite landslide, lateral spreading, subsidence, liquefaction or collapse? Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property

A portion of the project site includes clay loam soils classified as having a moderate shrink-swell potential (NRCS 1970). Expansive soils can become unstable due to changes in moisture content. However, the proposed project is planned for the dry season, and in the unlikely event water is present, a dewatering or diversion plan would be in place to manage moisture on the project site, as described in the project description. Additionally, the project is limited to geotechnical exploration activities which are unlikely to be affected by expansive soils. The project does not include new development or structures and the presence of exploration pits and borings would not cause soils to become unstable. Therefore, this impact is **less than significant**.

### #7 -e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

The project would not require the use of septic tanks or alternative wastewater disposal systems. Temporary portable restrooms would likely be provided for construction workers. Therefore, there would be **no impact**.

### #7 -f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project sites are located on marine and non-marine sedimentary rock that consist of alluvium, lake, playa, and terrace deposits from the Pleistocene-Holocene ages (Dibblee and Ehrenspeck 1992). With few exceptions, paleontological resources are found almost exclusively in sedimentary rock. However, to be considered a unique paleontological resource, a fossil must be more than 11,700 years old (i.e., the generally accepted end of the last glacial period of the Pleistocene Epoch) (SVP 2010). Holocene deposits contain only the remains of extant, modern taxa (if any resources are present), which are not considered "unique" paleontological resources. The stream channel alluvial deposits would be considered of low paleontological sensitivity. Alluvial deposits that are of Pleistocene age or older (surficial terrace areas on the south side of the project) may be paleontologically sensitive and the potential exists for discovery, inadvertent damage to, or destruction of an unknown paleontological resources within the project site. Therefore, this impact would be considered **potentially significant**. The following mitigation measure has been identified to address this impact.

**Mitigation Measure GEO-2: Implement Construction Worker Personnel Training, Stop Work if Paleontological Resources are Encountered During Earthmoving Activities and Implement a Recovery Plan, if Appropriate.**

To minimize the potential for destruction of or damage to potentially unique, paleontological resources during earth-moving activities, the District will implement the measures described below.

- Before the start of construction activities at the project site, construction personnel involved with earth-moving activities (including the site superintendent) will be informed of the possibility of encountering fossils and proper notification procedures should potential fossils be encountered. This worker training may be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources is presented.

- If paleontological resources are discovered during earth-moving activities, the construction crew will notify the District and will immediately cease work in the vicinity of the find. The District will retain a qualified paleontologist to inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts will occur, no further effort shall be required.

- If the resource cannot be avoided and may be subject to further impact, a qualified paleontologist shall evaluate the resource in accordance with SVP Guidelines (2010) and determine whether it is "unique" under CEQA, Appendix G, part VII. The determination and associated plan for protection of the resource shall be provided to the District for review and approval. If the resource is determined not to be unique, work may commence in the area. If the resource is determined to be a unique paleontological resource, work shall remain halted, and the paleontologist shall consult with the District staff regarding methods to ensure that no substantial adverse change would occur to the significance of the resource pursuant to CEQA.

- Preservation in place (i.e., avoidance) is the preferred method of mitigation for impacts to paleontological resources and shall be required unless there are other equally effective methods. Other methods may be used but must ensure that the fossils are recovered, prepared, identified, catalogued, and analyzed according to current professional standards under the direction of a qualified paleontologist. All recovered fossils shall be curated at an accredited and permanent scientific institution according to Society of Vertebrate Paleontology standard guidelines; typically, the Natural History Museum of Los Angeles County and University of California, Berkeley accept paleontological collections at no cost to the donor. Work may commence upon completion of treatment, as approved by the District.

Implementation of Mitigation Measure GEO-2 would reduce this impact by identifying unique paleontological resource or site or unique geological feature discovered during construction, avoiding disturbance or avoiding substantial adverse changes to the significant of the resource. Therefore, the impact from the project would be **less-than-significant impact with mitigation incorporated**.

## 3.8 Greenhouse Gas Emissions

**#8. GREENHOUSE GAS EMISSIONS. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #8 -a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #8 -b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |

### *3.8.1 Environmental Setting*

Ventura County developed a Climate Protection Plan in 2012 that focused on County government operations, setting out six major action areas and 15 climate protection commitments (County of Ventura 2012). Additionally, Ventura County adopted a Climate Action Plan (CAP) as part of its General Plan Update 2040 (Ventura County 2020). As part of the CAP, GHG emissions reduction strategy was prepared and integrated with the General Plan. The purpose of the GHG emissions reduction strategy is to identify and reduce community GHG emissions from existing and future activities and sources within the unincorporated area. A summary of the GHG emissions reduction strategy can be found in Table B-1 within the Ventura County General Plan Update 2040 (Ventura County 2020).

### *3.8.2 Discussion*

#### #8 -a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Temporary Greenhouse Gas (GHG) emissions would be generated during project activities, primarily from use of diesel-powered vehicles to conduct geotechnical explorations and mobilize equipment over the approximately 4-week construction period. Additionally, pickup trucks, a water truck, and one small all-terrain utility vehicle would be used onsite. The project would not have an operational phase. During project activities vehicle usage each day would be minimal. Therefore, only a very small amount GHG emissions would be temporarily generated, and this impact would be **less than significant**.

#### #8 -b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The proposed project would not conflict with Ventura County's CAP. California has more than 10 Executive Orders directing state agencies to implement programs to reduce GHG emissions to meet 2030 target of 40 percent below 1990 levels (State of California 2018). CARB is the primary

state agency responsible for implementing GHG reduction programs. Since the proposed project is limited to geotechnical exploration activities, it would not conflict with plans, policies, or regulations prepared or established to reduce GHG emissions. The proposed project's incremental contribution to the cumulative impact of increasing atmospheric levels of GHGs would be less than cumulatively considerable. The impact would be **less than significant**.

## 3.9 Hazards and Hazardous Materials

**#9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #9 -a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #9 -b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #9 -c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #9 -d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #9 -e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #9 -f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

| | | | | | |
|---|---|---|---|---|---|
| #9 -g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.9.1 Environmental Setting*

A search of publicly accessible databases was conducted to identify known hazardous materials sites in the project area. There were no hazardous materials sites identified within 0.25 mile of the project site. The database search included all data sources included in the Cortese List (enumerated in PRC Section 65962.5). These sources include the GeoTracker database, a groundwater information management system that is maintained by the SWRCB; the Hazardous Waste and Substances Site List (i.e., the EnviroStor database), maintained by the California Department of Toxic Substances Control (DTSC); and EPA's Superfund Site database (DTSC 2021a and 2021b, SWRCB 2021a and 2021b, CalEPA 2021, EPA 2021). The project site is also not in an area identified as more likely to contain asbestos by the California Department of Conservation (DOC 2000). This issue is not discussed further in this IS. The project site is not located in a high severity fire hazard zone (CALFIRE 2007 and 2010).

### *3.9.2 Discussion*

**#9 -a and b. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

The project consists of data collection to investigate the geotechnical site characteristics and would involve the storage, transport, and use of small amounts of hazardous substances necessary to operate and maintain equipment such as oils, lubricants, and fuel. The project would not involve routine or long-term transport or disposal of such materials. However, due to the close proximity of the Santa Clara River and the need for storage, transport, and use of hazardous substance, this impact is considered **potentially significant**. The following mitigation measure was identified to address this impact.

**Mitigation Measure HAZ-1: Implement Best Management Practices to Minimize the Potential Release of Hazardous Materials.**

Project-related vehicles and equipment will be maintained prior to site access and checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be deleterious. Equipment fueling will occur outside the channel whenever possible. If a stationary piece of equipment cannot be readily moved out of the channel for fueling, a containment system will be used to capture any accidental spill. Onsite fueling trucks and fueling areas will contain spill kits and/or other spill protection devices. Vehicle and equipment fluid spills will be cleaned up immediately. Equipment and material staging/storage will occur outside the channel.

No project-related hazardous substances will be allowed to contaminate the soil and/or enter into or be placed where it may be washed by rainfall or runoff into the Santa Clara River.

Implementation of Mitigation Measure HAZ-1 would minimize the potential for release of hazardous materials at the project site. Therefore, the impact from the project would be **less-than-significant with mitigation incorporated**.

### #9 -c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

There are no schools within 0.25 mile of the project site. There would be **no impact**.

### #9 -d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

The project site is not identified on lists compiled pursuant to Government Code Section 65962.5. There would be **no impact**.

### #9 -e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The project site is not within an airport land use plan area or within 2 miles of a public or public use airport. There would be **no impact**.

### #9 -f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Ventura County does not have an adopted emergency response plan or emergency evacuation plan. There would not be such an increase in the number of users at the site that emergency response or evacuation could be impaired. Additionally, due to the location of the project and its short-term, temporary nature, the project would not pose a risk to emergency response or evacuation during an emergency. The proposed project would not adversely affect an adopted emergency response plan. There would be **no impact**.

### #9 -g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The proposed project is not located within a fire hazard severity zone or state responsible area. Therefore, the project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. There would be **no impact**.

## 3.10 Hydrology and Water Quality

**#10. HYDROLOGY AND WATER QUALITY. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #10 -a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #10 -b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #10 -c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: | | | | | |
| #10 -c. i. result in substantial erosion or siltation on- or offsite; | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #10 -c. ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #10 -c. iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |

**#10. HYDROLOGY AND WATER QUALITY. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #10 -c. iv. impede or redirect flood flows? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #10 -d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #10 -e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

## *3.10.1 Environmental Setting*

### United Water Conservation District

The District is a public agency serving as the conservator of groundwater resources that are utilized by the cities of Oxnard, Port Hueneme, Ventura, Santa Paula, and Fillmore, as well as Naval Base Ventura County and several mutual water districts, farms and individual pumpers. Additionally, the District provides surface water for agricultural irrigation and treated drinking water to the cities of Oxnard and Port Hueneme. The District is situated in central Ventura County and District boundary encompasses the Santa Clara River Valley and Oxnard Coastal Plain for a total of 214,000 acres (UWCD 2020).

The Freeman Diversion was constructed on the mainstem of the Santa Clara River to enable United to divert Santa Clara River water for groundwater recharge under an existing water rights permit and license, as well as to stabilize the elevation of the upstream river channel. The Forebay of the Oxnard groundwater subbasin is recharged by infiltration from the riverbed of the Santa Clara River and surface flows diverted by the Freeman Diversion to recharge basins constructed for that purpose. The Freeman Diversion is a critical component of the water supply in the Oxnard subbasin and contributes a significant portion of the sustainable yield in the basin (FCGMA 2019).

### Water Quality

The project site is located in the Los Angeles Regional Water Quality Control Board (LARWQCB) Basin Plan within the Ventura Hydrologic Unit (LARWQCB 2014). In accordance with Clean Water Act Section 303, water quality standards for this basin are contained in the Water Quality Control Plan – Ocean Waters of California (California Ocean Plan), Water Quality Control Plan for the Control of Temperature in the Coastal and Interstate Waters and Enclosed Bays and Estuaries in California (California Thermal Plan), and the Water Quality Control Plan for Enclosed Bays and Estuaries. The portion of the Santa Clara River that runs through the project site is listed

on the 303(d) list as an impaired water and is considered impacted due to the presence of chloride, indicator bacteria, selenium, total dissolved solids, toxicity, and trash (SWRCB 2017).

#### Groundwater

The project site is located within the Santa Clara River Valley Groundwater Basin (4-004) near the western edge of the Santa Clara River Valley – Santa Paula Groundwater Subbasin about 4 miles southwest of the city center of Santa Paula (DWR 2015). The project site is located within a Bulletin 118 designated groundwater basin and is prioritized as very low (DWR 2019).

#### Flood Management

The project site is located within a 100-year flood zone. The majority of the project site is located in a Federal Emergency Management Agency Zone AE (1 percent annual chance of flooding), with a small portion of the project site is located in Zone X (Area of Minimal Flood Hazard) (FEMA 2021). The project is not located in a coastal area and is outside of a tsunami hazard zone.

### *3.10.2 Discussion*

#### #10 -a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

There is a chance that the project could contribute sediment or other contaminants directly or indirectly into the Santa Clara River from data collection activities. If water is present within the vicinity of the work area the District may need to prepare and implement a dewatering and diversion plan. Implementation of a dewatering and diversion plan would provide a dry work area for geotechnical exploration activities and minimize the potential for erosion. Since the project is located within the bed and banks of the Santa Clara River, the District would need to obtain a Watercourse Permit from the Ventura County Public Work Agency, Watershed Protection District. Additionally, since the project is located within a Federal Emergency Management Agency designated 100-year flood zone, the project would be required to comply with Ventura County Flood Management Ordinance No. 4521, which would require the District to obtain a Flood Plain Development Permit.

The project has the potential to generate runoff and erosion during ground disturbing activities, as discussed in Impact #7b in Chapter 3.7, "Geology and Soils," and impacts from the project related to erosion and water quality would be considered **potentially significant**. The following mitigation measure has been identified to address this impact.

> **Mitigation Measure GEO-1: Prepare and Implement a Storm Water Pollution Prevention Plan, if required, Implement Erosion Control Best Management Practices, and Comply with Ventura County Standards for Grading and Erosion Control.**
>
> Please refer to Mitigation Measure GEO-1 in Chapter 3.7, "Geology and Soils," for the full text of this mitigation measure.

Implementing Mitigation Measure GEO-1 would minimize the potential impact from construction-related erosion because a SWPPP and/or BMPs would be implemented to prevent and control

pollution and minimize impacts to water quality. Therefore, the project would have a **less-than-significant impact with mitigation incorporated**.

### #10 -b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Piezometers installed with the project would collect data on groundwater levels to help with future analysis of this site, but the project would not include the use of groundwater and would not interfere with groundwater recharge. Therefore, there would be **no impact**.

### #10 -c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

#### #10 -i) Result in substantial erosion or siltation on- or offsite?

The drainage pattern of the site would also be temporarily altered from ground disturbing activities. Implementation of a dewatering and diversion plan would provide a dry work area for geotechnical exploration activities and minimize the potential for erosion. However, there is potential for runoff and erosion during ground disturbing activities, as discussed in Impact #7b in Chapter 3.7, "Geology and Soils," and impacts from the project related to erosion would be considered **potentially significant**. The following mitigation measure has been identified to address this impact.

> **Mitigation Measure GEO-1: Prepare and Implement a Storm Water Pollution Prevention Plan, if required, Implement Erosion Control Best Management Practices, and Comply with Ventura County Standards for Grading and Erosion Control.**
>
> Please refer to Mitigation Measure GEO-1 in Chapter 3.7, "Geology and Soils," for the full text of this mitigation measure.

Implementing Mitigation Measure GEO-1 would minimize the potential impact from construction-related erosion because a SWPPP and/or BMPs would be implemented to prevent and control pollution and minimize and control runoff and erosion Therefore, the impact from the project would be **less-than-significant impact with mitigation incorporated**.

### #10 -c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

#### #10 - ii, iii, and iv) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?; Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional

**sources of polluted runoff?; or Impede or redirect flood flows?**

If water is present within the vicinity of the work area, then the District would prepare and implement a dewatering and diversion plan. Implementation of a dewatering and diversion plan would provide a dry work area for geotechnical exploration activities and minimize the potential for erosion. A small area near the south riverbank would be dewatered, but water would continue flowing around the work areas and downstream and flood flows would not be redirected offsite. The capacity of stormwater drainage systems also would not be exceeded. Therefore, the impact from the project would be **less than significant**.

### #10 -d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is located within a 100-year flood plain, but is not located in a tsunami, or seiche zone. The project would not propose new developments that could release pollutants due to project inundation. Therefore, this impact would be **less than significant.**

### #10 -e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Since the project is limited to geotechnical exploration activities, it would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. The project consists of data collection to investigate the geotechnical site characteristics. There would be **no impact**.

## 3.11 Land Use and Planning

**#11. LAND USE AND PLANNING. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #11 -a. Physically divide an established community? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #11 -b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.11.1 Environmental Setting*

The project site is zoned OS-80/MRP/HCWC (Ventura County 2020). The project site is located on undeveloped land in unincorporated Ventura County. The surrounding area consists of the Santa Clara River, the Southern Pacific Milling Company, bare ground, and a vegetated hillside.

### *3.11.2 Discussion*

#### #11 -a. Physically divide an established community?

The project does not propose new developments and would not divide an established community. There would be **no impact**.

#### #11 -b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

As stated in Question "a" in this section, the project does not propose new developments. Therefore, the project would not conflict with any land use plan, policy, or regulations. There would be **no impact**.

## 3.12 Mineral Resources

**#12. MINERAL RESOURCES. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #12 -a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #12 -b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.12.1 Environmental Setting*

The project site is located within a Surface Mining and Reclamation Act of 1975 study area for sand, gravel, and crushed rock resource areas, known as the Simi production-consumption region. The project site is designated as mineral resource zone-2 (areas that contain identified mineral resources) (DOC 1993). The Southern Pacific Milling Company is located immediately adjacent the proposed project.

### *3.12.2 Discussion*

#### #12 -a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The project site is located in a Surface Mining and Reclamation Act of 1975 study area and has the potential to contain mineral resources. Boreholes would be backfilled with cement-bentonite grout and topped off with excavated materials from the site. Test pits would be backfilled with excavated material. There is potential for loss of a small amount material that could be considered mineral resources, however, the amount that could be lost would be minimal and would not affect the overall availability of mineral resources in Ventura County. The permitted aggregate reserves in the Ventura County Production Consumption Region are currently 168 million tons (Ventura County 2020). Therefore, this impact would be **less-than-significant**.

#### #12 -b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The project site is not located within the vicinity of a locally important mineral resource recovery site. There would be **no impact**.

## 3.13 Noise

**#13. NOISE. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #13 -a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable standards of other agencies? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #13 -b. Generation of excessive groundborne vibration or groundborne noise levels? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #13 -c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.13.1 Environmental Setting*

The closest sensitive receptor to the project site is a residence located approximately 0.6 mile northwest. The project site is located approximately 1 mile south of Santa Paula Highway (Highway 126), and 2.25 miles northeast of Highway 118. The Ventura County Municipal Code states that the maximum allowable average sound level (Leq) is as follows:

- Leq (1-hour) of 55 A-weighted decibel (dBA) or ambient noise level plus 3 dBA, whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.
- Leq (1-hour) of 50 dBA or ambient noise level plus 3 dBA, whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.
- Leq (1-hour) of 45 dBA or ambient noise level plus 3 dBA, whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m. (Ventura County 2020)

### *3.13.2 Discussion*

#### #13 -a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable standards of other agencies?

The proposed project would temporarily increase ambient noise levels within the vicinity of the project site due to the use of construction equipment. Work at the project site would be limited to the hours identified in the Ventura County Municipal Code. The list of equipment that may be used for project construction activities with typical noise levels generated at 50 feet from the equipment (reference levels) is shown in **Table 3-5**. The closest residence is located approximately 0.6 mile northwest of the project site and actual construction noise levels at the sensitive noise receptors would be considerably lower than shown in **Table 3-5**. The proposed project would be consistent with the Ventura County Noise Ordinance. Due to the small amount of equipment that would be used during project activities and the distance to the nearest sensitive noise receptor, the proposed project would generate noise levels lower than the applicable standards. The project would not have an operational phase. Therefore, the impact from the project would be **less than significant**.

**Table 3-5. Equipment and Typical Equipment Noise Levels**

| Type of Equipment | Typical Noise Levels (dB) |
|---|---|
| | $L_{max}$ at 50 Feet |
| Truck Mounted Drill | 84 |
| Drill Rig | 85 |
| Excavator | 81 |
| Crane | 85 |
| Pick-up Truck | 75 |

Notes: dB = decibels; $L_{max}$ = maximum instantaneous sound level;
Source: Construction equipment list based on Federal Highway Administration (FHWA) 2006, adapted by GEI in 2021

#### #13 -b. Generation of excessive groundborne vibration or groundborne noise levels?

Ground vibration would occur during project activities. Vibrations could be detectable by nearby sensitive receptors; however, the nearest sensitive receptor is 0.60 miles away from the project site and vibrations from the project are not anticipated to be perceptible at this distance. Additionally, the proposed project would not have an operational phase. Therefore, the impact from the project would be **less than significant**.

**#13 -c) For a project located within-the vicinity of a private airstrip or-an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

The project site is not within an airport land use plan area or within 2 miles of a public or public use airport. Therefore, the proposed project would not expose people residing or working in the area to excessive noise levels. There would be **no impact**.

## 3.14 Population and Housing

**#14. POPULATION AND HOUSING. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #14 -a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #14 -b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.14.1 Environmental Setting*

The project site is located in the unincorporated area of Ventura County. The population in Ventura County was estimated in 2020 to be 842,886 (DOF 2020).

### *3.14.2 Discussion*

#### #14 -a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The proposed project involves data collection to inform final design and construction of the future fish passage facility. The proposed project would not result in new developments, and therefore, would not induce unplanned population growth. There would be **no impact**.

#### #14 -b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project would not displace people or housing. The nearest residence is located 0.60-mile northwest of the project site and consists of one single residence with no other homes nearby. There would be **no impact**.

## 3.15 Public Services

**#15. PUBLIC SERVICES. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #15 -a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: | | | | | |
| Fire protection? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| Police protection? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| Schools? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| Parks? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| Other public facilities? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.15.1 Environmental Setting*

The Ventura County Sheriff provides law enforcement services for the unincorporated Ventura County. The Ventura County Fire Department provides fire protection to residents of the unincorporated areas of the County, and the cities of Thousand Oaks, Simi Valley, Moorpark, Camarillo, Port Hueneme, and Ojai (Ventura County 2020). The Olivelands Elementary School, located 2.75 miles north of the project site, is the nearest school to the project site. The nearest park is the Saticoy Community Park located approximately 2.30 miles west of the project site.

### *3.15.2 Discussion*

**#15 -a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Since the project is limited to geotechnical explorations, it would not require new or altered government facilities, as the project would not increase the need for public services from the existing conditions. There would be **no impact**.

## 3.16 Recreation

**#16. RECREATION. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #16 -a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #16 -b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.16.1 Environmental Setting*

The project site is located in the unincorporated Ventura County with no nearby recreational facilities. The closest recreational facility is the Saticoy Community Park located approximately 2.30 miles west of the project site.

### *3.16.2 Discussion*

**#16-a and b. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated or include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

The project is not growth inducing and would not increase the use of existing parks or recreational facilities or require the construction or expansion of recreational facilities. There would be **no impact**.

## 3.17 Transportation

**#17. TRANSPORTATION. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #17 -a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #17 -b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |
| #17 -c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #17 -d. Result in inadequate emergency access? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.17.1 Environmental Setting*

Access to the project site area would be via State Route 118 (Los Angeles Avenue) to Southern Pacific Milling Road.

### *3.17.2 Discussion*

**#17 -a, c, and d). Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? Result in inadequate emergency access?**

The project would not conflict with any program plan, ordinance, or policies. Existing public and private roads would be utilized to deliver equipment, supplies, and workers to and from the project site. The project would not require any road closures or result in inadequate emergency access. Since no new roads are being developed, the project would not increase hazards due to a geometric design feature or incompatible uses. There would be **no impact**.

### #17 -b. Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

Construction of the project would take approximately 4 weeks and would result in approximately 100 trips from workers commuting to and from the project site. Project activities would be conducted in a relatively undeveloped area, with the closest residence being 0.60 mile northwest of the project site. Due to the temporary, short-term nature of project activities, the proposed project would not significantly increase vehicle miles traveled within Ventura County. Therefore, the impact from the project would be **less than significant**.

## 3.18 Tribal Cultural Resources

**#18. TRIBAL CULTURAL RESOURCES. Would the project** cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

| | | | | | |
|---|---|---|---|---|---|
| #18 -a. Listed or eligible for listing in the California Register of Historical Resources (CRHR), or in a local register of historical resources as defined in PRC Section 5020.1(k), or | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #18 -b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.18.1 Environmental Setting*

On January 4, 2021 GEI archaeologist Mathew Chouest, MA sent a request to the NAHC for a search of their Sacred Lands Files to determine if there were any previously reported tribal resources within the APE. The NAHC responded on January 20, 2021 with a list of potentially affiliated tribes, and a letter stating the search of the Sacred Lands Files had yielded negative results concluding that no tribal cultural resources are located on or in the vicinity of the proposed project site (NAHC 2021). A request for consultation has not been received from Tribes affiliated with the project site region. Similarly, no Native American archeological or historical resources listed or eligible for listing in the CRHR that could be considered a tribal cultural resource are located in the proposed project site. *See* Chapter 3.5 "Cultural Resources" for further details.

### *3.18.2 Discussion*

**#18 -a and b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC Section 5020.1(k)? A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

There are no known tribal cultural resources located in the vicinity of the project sites. There are no known Indian Sacred Sites in the vicinity of the project sites. Since no known Indian Sacred Sites have been identified within any of the project sites, there would be no direct, indirect, or cumulative impacts to Indian Sacred Sites from the proposed project. The proposed project would not have the potential to affect or prohibit access to any ceremonial use of Indian Sacred Sites. There would be **no impact**.

## 3.19 Utilities and Service Systems

**#19. UTILITIES AND SERVICE SYSTEMS. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #19 -a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #19 -b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? Yes. | Have Beneficial Impact? No. |
| #19 -c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #19 -d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #19 -e. Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.19.1 Environmental Setting*

The project site and vicinity are provided electric and gas service by Southern California Edison and Southern California Gas, respectively (Ventura County 2020). Within the unincorporated Ventura County, wastewater collection, treatment, recycling, and disposal is provided by 16 agencies, districts, or service providers. The Ventura County Integrated Waste Management Division (IWMD) manages the collection and disposal of solid and hazardous waste in the unincorporated areas of Ventura County. The Toland Road landfill located approximately 9.5 miles northeast of the project site is the closest landfill.

### *3.19.2 Discussion*

**#19 -a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

No utility services would need to be constructed or expanded as a result of the proposed project. Implementation of the proposed project would result in **no impacts**.

**#19 -b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?**

The boring machine would require a water source and a polymer for lubrication during drilling. Water for drilling would be obtain by either drawing from the reservoir/canal by filtered pump and collected along with the drill muck for disposal; or trucked onsite from a to be determined clean water source. The proposed project would not require much water as all activities would be completed within 4 weeks and no operational phase would occur. Therefore, the project would have a **less-than-significant** impact.

**#19 -c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

*See* Question "a" above. The project would not result in a significant amount of wastewater. There would be **no impact**.

**#19 -d and e) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? Comply with federal, state, and local management and reduction statues and regulations related to solid waste?**

The proposed project would not create solid waste, and as such would not exceed the capacity of local infrastructure. There would be **no impact**.

## 3.20 Wildfire

**#20. WILDFIRE.** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, **would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #20 -a. Substantially impair an adopted emergency response plan or emergency evacuation plan? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #20 -b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #20 -c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |
| #20 -d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? No. | Have No Impact? **Yes.** | Have Beneficial Impact? No. |

### *3.20.1 Environmental Setting*

The project site is not located within a fire hazard severity zone or state responsibility area (CALFIRE 2007 and 2010). The Ventura County Fire Department provides fire protection to residents of the unincorporated areas of the County, and the cities of Thousand Oaks, Simi Valley, Moorpark, Camarillo, Port Hueneme, and Ojai (Ventura County 2020).

### *3.20.2 Discussion*

**#20 -a, b, c, and d) Substantially impair an adopted emergency response plan or emergency evacuation plan? Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

The project site is not located in a high severity fire zone. There would not be such an increase in the number of users at the site that could impair emergency response or evacuation. Additionally, due to the location of the project site and the short-term, temporary nature of project activities, the project would not pose a risk to emergency response or evacuation during an emergency. The project would not require any infrastructure that could exacerbate fire risk or the risk of flooding, slope instability, or drainage changes. There would be **no impact**.

## 3.21 Mandatory Findings of Significance

**#21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:**

| | | | | | |
|---|---|---|---|---|---|
| #21 -a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #21 -b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? **Yes.** | Have Less-than-Significant Impact? No. | Have No Impact? No. | Have Beneficial Impact? No. |
| #21 -c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | Have Potentially Significant Impact? No. | Have Less-than-Significant Impact with Mitigation Incorporated? No. | Have Less-than-Significant Impact? **Yes.** | Have No Impact? No. | Have Beneficial Impact? No. |

### *3.21.1 Discussion*

**#21 -a. Would the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?**

The analysis conducted in this IS concludes that implementation of the proposed project would not have a significant impact on the environment. As evaluated in Chapter 3.4, Biological Resources, impacts on biological resources would be less-than-significant or less-than-significant with mitigation incorporated. The proposed project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; or reduce the number or restrict the range of an endangered, rare, or threatened species. As discussed in Chapter 3.5, Cultural Resources, the proposed project would not eliminate important examples of the major periods of California history or prehistory. This impact would be **less-than-significant with mitigation incorporated**.

### #21 -b. Would the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

The proposed project would result in less-than-significant impacts with mitigation incorporated, less-than-significant impacts, or no impacts on aesthetics, agriculture and forestry, air quality, biological resources, cultural resources, energy, geology and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire. The temporary nature of the proposed project's activities, and no long-term change, would result in no impacts or less-than-significant environmental impacts on the physical environment. None of the proposed project's impacts make cumulatively considerable, incremental contributions to significant cumulative impacts with incorporation of mitigation presented in this IS. This impact would be **less-than-significant with mitigation incorporated**.

### #21 -c. Would the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

The project would result in less-than-significant impacts and would not cause substantial adverse effects on human beings, either directly or indirectly. This impact would be **less-than-significant**.

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# 4.0 References


**Chapter 3.1, Aesthetics**

California Department of Transportation (Caltrans). 2019. *List of eligible and officially designated State Scenic Highways*. August 2019. Available: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways Accessed: February 15, 2021.

Caltrans. 2015. *Officially Designated County Scenic Highways*. Available: https://dot.ca.gov/-/media/dot-media/programs/design/documents/od-county-scenic-hwys-2015-a11y.pdf Accessed: February 15, 2021.

Ventura County. 2020. *County Viewer*. Available: https://maps.ventura.org/countyview/ Accessed: February 15, 2021.

**Chapter 3.2, Agriculture and Forestry**

Ventura County. 2020. *Ventura County Non-Coastal Zoning Ordinance*. Effective January 1, 2021. Available: https://docs.vcrma.org/images/pdf/planning/ordinances/VCNCZO_Current.pdf Accessed: February 15, 2021.

**Chapter 3.3, Air Quality**

California Air Resource Board (CARB). 2016. *Ambient Air Quality Standards*. Available: https://ww2.arb.ca.gov/sites/default/files/2020-07/aaqs2.pdf Accessed: February 15, 2021.

_____. 2019. *Air Quality Trend Summaries*. Available: https://www.arb.ca.gov/adam/ Accessed: February 15, 2021.

Ventura County Air Pollution Control District (VCAPCD). 2003. *Ventura County Air Quality Assessment Guideline*. Available: http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf Accessed: February 15, 2021.

**Chapter 3.4, Biological Resources**

Ashton, D.T., A.J. Lind, and K.E. Schlick. 1997. *Western Pond Turtle (*Clemmys marmorata*). Natural History*. Forest Service. Pacific Southwest Research Station. Arcata, CA.

Booth, M.T. 2016. Fish passage monitoring at the Freeman Diversion 1993-2014. United Water Conservation District. Santa Paula, CA. 13 pp.

CDFW (California Department of Fish and Wildlife). 2021. California Natural Diversity Database. Version 5. Biogeographic Data Branch. Available at: https://wildlife.ca.gov/Data/CNDDB. Accessed: February 10, 2021.

CNPS (California Native Plant Society). 2021a. A Manual of California Vegetation Online. Sacramento, CA. Available: https://vegetation.cnps.org/. Accessed: April 20, 2021.

_____. 2021b. Inventory of Rare and Endangered Plants. Online edition, v8-03 0.39. Sacramento, CA. Available: http://www.rareplants.cnps.org. Accessed: February 10, 2021.

Comrack, L.A. 2008. Yellow-breasted Chat (*Icteria virens*). In *California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California*, ed. W. D. Shuford and T. Gardali, 351–358. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.

County of Ventura. 2020. *Ventura County 2040 General Plan* Conservation and Open Space Element. Available: https://vcrma.org/ventura-county-general-plan#g. Accessed February 25, 2021.

County of Ventura. 2019. Ordinance No. 4537 Non-Coastal Zoning Ordinance to Regulate Development Within the Habitat Connectivity and Wildlife Corridors and Critical Wildlife Passage Areas Overlay Zones. Available: https://vcrma.org/habitat-connectivity-and-wildlife-movement-corridors. Accessed April 21, 2021.

Davis, J. N., and C. N. Niemla. 2008. Northern Harrier (*Circus cyaneus*). In *California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California*, ed. W. D. Shuford and T. Gardali, 149–155. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.

Dellith, Chris. 2019. U.S. Fish and Wildlife Service, personal communication, 2019.

Gervais, J. A., D. K. Rosenberg, and L. A. Comrack. 2008. Burrowing Owl (*Athene cunicularia*). In *California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California*, ed. W. D. Shuford and T. Gardali, 218–226. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.

Goodman, D.H. and S.B. Reid. 2012. *Pacific Lamprey (*Entosphenus tridentatus*) Assessment and Template for Conservation Measures in California*. United States Fish and Wildlife Service, Region 8, Arcata, CA.

Griffith Wildlife Biology. 2020. The Status of the Least Bell's Vireo and Four Other Riparian Bird Species at United Water Conservation District, Saticoy and Piru, California, in 2020. Final Report. Prepared for United Water Conservation District.

Hall, L.S., B.K. Orr, J.R. Hatten, A. Lambert, and T. Dudley. 2020. Final Report: Southwestern Willow Flycatcher (*Empidonax traillii extimus*) and western Yellow-billed Cuckoo (*Coccyzus americanus occidentalis*) surveys and habitat availability modeling on the Santa Clara River, California, 26 March 2020. Submitted to the California Department of Fish and Wildlife.

Heath, S.K. 2008. Yellow Warbler (*Dendroica petechia*). In *California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California*, ed. W. D. Shuford and T. Gardali, 332–339. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.

Humple, D. 2008. Loggerhead Shrike (*Lanius ludovicianus*). In *California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California*, ed. W. D. Shuford and T. Gardali, 271–277. Studies of Western Birds No. 1. Western Field Ornithologists, Camarillo, CA, and California Department of Fish and Game, Sacramento, CA.

Laymon, S.A. and M.D. Halterman. 1987. Can the Western Subspecies of the Yellow-billed Cuckoo be Saved from Extinction? *Western Birds* 18(1):19-25.

Moore, J. 2000. White-tailed Kite (*Elanus leucurus*). Focal Species Account for the CalPIF Grassland Bird Conservation Plan. Available: http://www.prbo.org/calpif/htmldocs/species/grassland/wtkiacct.html. Accessed October 23, 2020.

Moyle, P.B. 2002. *Inland fishes of California*. Revised and expanded. University of California Press, Berkeley and Los Angeles, CA.

Moyle, P.B., R.M. Quiñones, J.V. Katz, and J, Weaver. 2015. Fish Species of Special Concern in California. Third Edition. The Resources Agency, Department of Fish and Wildlife, Sacramento, CA.

Quinn, J.H. 2008. *The ecology of the American badger* Taxidea taxus *in California: assessing conservation needs on multiple scales*. PhD dissertation. University of California, Davis.

Richmond, J.Q., A.R. Backlin, C. Galst-Cavalcante, J.W. O'Brien, and R.N. Fisher. 2017. Loss of dendritic connectivity on southern California's urban riverscape facilitates decline of an endemic freshwater fish. *Molecular Ecology* 2017;00:1–18. Available at: https://doi.org/10.1111/mec.14445. Accessed July 6, 2021.

Shapovalov, L. and A.C. Taft. 1954. Life Histories of the Steelhead Rainbow Trout (*Salmo gairdneri*) and Silver Salmon (*Oncorhynchus kisutch*) with Special Reference to Waddell Creek, California, and Recommendations Regarding Their Management. California Department of Fish and Game, Fish Bulletin. No. 98.

Sogge, M.K., Ahlers, D., and Sferra, S.J. 2010. *A natural history summary and survey protocol for the southwestern willow flycatcher*. United States Geological Survey Techniques and Methods 2A-10, 38 p. Reston, VA.

Stillwater Sciences. 2007. Santa Clara River Parkway Floodplain Restoration Feasibility Study, Focal Species Analysis and Habitat Characterization for the Lower Santa Clara River and

Major Tributaries, Ventura County, California. Berkeley, CA. Prepared for the California Coastal Conservancy, Oakland, CA.

Thomson, R.C., Wright, A.N., and Shaffer, H.B. 2016. *California Amphibian and Reptile Species of Concern*. University of California Press, Oakland, CA.

USFWS (United States Fish and Wildlife Service). 2017. *Recovery Plan for the Santa Ana Sucker (*Catostomus santaanae*)*. Region 8, Sacramento, CA.

_____.2021 (January 31). List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project. Generated at https://ecos.fws.gov/ipac/.

United Water Conservation District (District). 2021. Freeman Diversion Multiple Species Habitat Conservation Plan. Santa Paula, CA.

Wiggins, D. 2005. Yellow-billed Cuckoo (*Coccyzus americanus*): A Technical Conservation Assessment. Prepared for the USDA Forest Service, Rocky Mountain Region, Species Conservation Project. Strix Ecological Research, Oklahoma City, OK.

Wishtoyo Foundation, et al. v. United Water Conservation District, Central District of California Case No. 2:16-cv-03869-DOC-PLA (ECF No. 248). 2018.

**Chapter 3.5, Cultural**

County of Ventura. 2000. *County of Ventura Historic Preservation Plan.* Prepared by the County of Ventura Resource Management Agency.

GEI Consultants, Inc. 2021. *Cultural Resources Inventory Report for the Van Freeman Diversion Hardened Ramp Geotechnical Exploration Project*. Report prepared for the United Water Conservation District.

Glassow, Michael A., Lynn H. Gamble, Jennifer E. Perry, and Glenn S. Russell. 2007. Prehistory of the Northern California Bight and the Adjacent Transverse Ranges. In *California Prehistory: Colonization, Culture, and Complexity*, edited by Terry L. Jones and Kathryn A. Klar, 193-214. New York, NY: Altamira Press.

Grant, Campbell. 1978. Eastern Coastal Chumash. In Handbook of North American Indians, Vol. 8, edited by Robert F. Heizer, 509-519. Washington, D.C.: Smithsonian Institution.

San Buenaventura Research Associates. 1996. *Ventura County Cultural Heritage Survey Phase V: Western Santa Clara Valley.* Report prepared for the Ventura County Cultural Heritage Board.

United Water Conservation District (District). 2021. "United Water Conservation District History." Available at https://www.unitedwater.org/about-us/#history, accessed February 1, 2021.

**Chapter 3.6, Energy**

California Energy Commission (CEC). 2015. *Fact Sheet: California's 2030 Climate Commitment – Renewable Resources for Half of the State's Electricity by 2030.* Available: https://ww3.arb.ca.gov/html/fact_sheets/2030_renewables.pdf. Accessed: February 15, 2021.

_____. 2019. *Electricity Consumption by County*. Available: http://www.ecdms.energy.ca.gov/elecbycounty.aspx Accessed: February 15, 2021.

Ventura County. 2020a. *Ventura County 2040 General Plan*. Available: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf Accessed: February 15, 2021.

_____. 2020b. *Ventura County 2040 General Plan Draft Environmental Impact Report*. Available: https://docs.vcrma.org/images/pdf/planning/plans/VCGPU-EIR_4.06_Energy.pdf Accessed: February 15, 2021.

Ventura County Regional Energy Alliance (VRCEA). 2021. *Ventura County Regional Energy Alliance website; Mission Statement*. Available: https://www.vcenergy.org/about-us/who-we-are/our-mission/ Accessed: February 15, 2021.

**Chapter 3.7, Geology and Soils**

California Geologic Survey (CGS). 2015a. *Fault Activity Map of California.* Available: https://maps.conservation.ca.gov/cgs/fam/ Accessed: February 15, 2021.

_____. 2015b. *CSG Warehouse Information*. Available: https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps Accessed: February 15, 2021.

_____. 2015c. *Geologic Map of California (2010)*. Available: https://maps.conservation.ca.gov/cgs/fam/ Accessed: February 15, 2021

_____. 2020. *Earthquake Zones of Required Investigation*. Available: https://maps.conservation.ca.gov/cgs/EQZApp/app/ Accessed: February 15, 2021.

Dibblee, T.W. and H.E. Ehrenspeck. 1992. Geologic map of the Santa Paula quadrangle, Ventura County, California. Available: https://ngmdb.usgs.gov/mapview/?center=-119.093,34.3&zoom=15. Accessed: March 9, 2021.

Natural Resources Conservation Service (NRCS). 1970. Soil Survey, Ventura Area, California. Available:https://www.nrcs.usda.gov/wps/portal/nrcs/surveylist/soils/survey/state/?stateId=CA. Accessed: March 9, 2021.

_____. 2021. *U.S. Department of Agriculture Natural Resources Conservation Services, Web Soil Survey*. Available: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx Accessed: February 15, 2021.

Society of Vertebrate Paleontology. 2010. Assessment and Mitigation of Adverse Impacts to Paleontologic Resource. Available: https://vertpaleo.org/wp-content/uploads/2021/01/SVP_Impact_Mitigation_Guidelines.pdf. Accessed: March 9, 2021.

Ventura County. 2021. *County of Ventura GIS*. Available: https://maps.ventura.org/countyview/ Accessed: March 8, 2021.

**Chapter 3.8, Greenhouse Gas Emissions**

County of Ventura. 2012. County of Ventura Climate Protection Plan for Government Operations: A Community Commitment. Available: https://cobapps.countyofventura.org/sustain/downloads/climate_protection_plan.pdf Accessed: February 15, 2021.

State of California. 2018. *California Climate Change. California Climate Change Executive Orders*. Available: https://www.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf Accessed: February 15, 2021.

**Chapter 3.9, Hazards and Hazardous Waste**

California Department of Forestry and Fire Protection (CALFIRE). 2007. *Very High Fire Hazard Severity Zones in LRA: Ventura County*. Available: https://osfm.fire.ca.gov/media/6687/fhszs_map15.pdf Accessed: February 12, 2021.

_____. 2010. *Draft Fire Hazard Severity Zones in LRA: Ventura County*. Available: https://osfm.fire.ca.gov/media/6686/fhszl06_1_map15.pdf Accessed: February 12, 2021.

California Department of Toxic Substances Control. (DTSC) 2021a. *Envirostor Hazardous Waste and Substances Site List (Cortese).* Available: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM,COLUR&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+(CORTESE). Accessed: February 12, 2021.

_____. 2021b. *Cortese List: Section 65962.5(a).* Available: https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/. Accessed: February 12, 2021.

CalEPA. California Environmental Protection Agency. 2021. *Sites Identified with Waste Constituents Above Hazardous Waste Levels Outside the Waste Management Unit.* Available: https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf. Accessed: February 12, 2021.

California State Water Resources Control Board (SWRCB). 2021a. *GeoTracker Database.* Available: https://geotracker.waterboards.ca.gov/map/?global_id=T0601700073. Accessed: February 12, 2021.

_____. 2021b. *CDO-CAO List.* Available: https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx. Accessed: February 12, 2021.

California Department of Conservation (DOC). 2000. *A General Location Guide for Ultramafic Rocks in California - Areas More Likely to Contain Naturally Occurring Asbestos, 2000, Map scale 1:1,100,000, Open-File Report 2000-19*. Available: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/ofr/ofr_2000-019.pdf. Accessed: February 12, 2021.

Environmental Protection Agency (EPA). 2021. *Superfund Enterprise Management System (SEMS) Database*. Available: https://www.epa.gov/enviro/sems-search. Accessed: February 12, 2021.

**Chapter 3.10, Hydrology**

Los Angeles Regional Water Quality Control Board (LAWQCB). 2014. *Water Quality Control Plan (Basin Plan) for the Coastal Watersheds of Los Angeles and Ventura Counties*. Available: https://www.waterboards.ca.gov/losangeles/water_issues/programs/basin_plan/2020/Chapter_3/Chapter_3.pdf. Accessed: February 19, 2021.

Department of Water Resources (DWR). 2019. *Groundwater Basin Prioritization*. Available: https://water.ca.gov/Programs/Groundwater-Management/Basin-Prioritization. Accessed: February 19, 2021.

_____. 2015. CA *Bulletin 118 Groundwater Basins, Data and Resources*. Available: https://data.cnra.ca.gov/dataset/ca-bulletin-118-groundwater-basins Accessed: February 19, 2021.

UWCD. 2020. United Water Conservation District; About Us. Available: https://www.unitedwater.org/about-us/#history Accessed: February 17, 2021.

Federal Emergency Management Agency (FEMA). 2021. *FEMA's National Flood Hazard Layer (NFHL) Viewer*. Available: https://hazards-

fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd Accessed: February 19, 2021.

Fox Canyon Groundwater Management Agency (FCGMA). 2019. Groundwater Sustainability Plan for the Oxnard Subbasin. Available: https://fcgma.org/component/phocadownload/category/84-oxnard-subbasin-files Accessed: April 21, 2021.

State Water Resources Control Board (SWRCB). 2017. *Final 2014 and 2016 Integrated Report (CWA Section 303(d) List/ 305(b) Report).* Available: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2014_16state_ir_reports/category5_report.shtml. Accessed: February 19, 2021.

**Chapter 3.11, Land Use and Planning**

Ventura County. 2020. *County Viewer*. Available: https://maps.ventura.org/countyview/ Accessed: February 15, 2021.

**Chapter 3.12, Mineral Resources**

Department of Conservation (DOC). 1993. *Generalized Mineral Land Classification Map of Southern Ventura County, Aggregate Resources Only*. Available: https://filerequest.conservation.ca.gov/?q=OFR_93-10_Text.pdf Accessed: February 16, 2021.

Ventura County. 2020. Ventura County 2040 General Plan Update Background Report. Available: https://docs.vcrma.org/images/pdf/planning/plans/Background_Report_-_All_Sections_-_September_2020.pdf Accessed: February 16, 2021.

**Chapter 3.13, Noise**

United States Department of Transportation, Federal Highway Administration, Office of Planning, Environment, and Realty, Roadway. 2006. *Construction Noise Handbook.* Available: https://www.fhwa.dot.gov/Environment/noise/construction_noise/handbook/handbook09.cfm Accessed: February 16, 2021.

Ventura County. 2020. *Ventura County Code of Ordinances*. Available: https://library.municode.com/ca/ventura_county/codes/code_of_ordinances Accessed: February 16, 2021.

**Chapter 3.14, Population and Housing**

Department of Finance (DOF). 2020. *E-1 Cities, Counties, and State Population Estimates with Annual Percent Change – January 1, 2018 and 2019*. Available: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-1/ Accessed: February 16, 2021.

**Chapter 3.15, Public Services**

Ventura County. 2020. *Ventura County 2040 General Plan*. Available: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf Accessed: February 15, 2021.

**Chapter 3.16, Recreation**

*No Citations.*

**Chapter 3.17, Transportation**

*No Citations.*

**Chapter 3.18, Tribal Cultural Resources**

Native American Heritage Commission (NAHC). 2021. Letter titled *Sacred Lands Record Search*. Received on: January 20, 2021

**Chapter 3.19, Utilities**

Ventura County. 2020. *Ventura County 2040 General Plan*. Available: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf Accessed: February 15, 2021.

**Chapter 3.20, Wildfire**

California Department of Forestry and Fire Protection (CALFIRE). 2007. *Very High Fire Hazard Severity Zones in LRA: Ventura County*. Available: https://osfm.fire.ca.gov/media/6687/fhszs_map15.pdf Accessed: February 12, 2021.

_____. 2010. *Draft Fire Hazard Severity Zones in LRA: Ventura County*. Available: https://osfm.fire.ca.gov/media/6686/fhszl06_1_map15.pdf Accessed: February 12, 2021.

Ventura County. 2020. *Ventura County 2040 General Plan*. Available: https://docs.vcrma.org/images/pdf/planning/plans/Final_2040_General_Plan_docs/Ventura_County_2040_General_Plan_web_link.pdf Accessed: February 15, 2021.

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# 5.0 Report Preparers

## GEI Consultants, Inc.

Ryan Jolley.....Project Manager

Chrissy Russo.....Environmental Planner

Anne King.....Biologist

Jesse Martinez, RPA .....Archaeologist

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# Appendix A – Representative Photos

Photo 1: Facing northeast from the middle of Upland Work Area 1 (January 14, 2021).

Photo 2: Facing northeast from the northern portion of Upland Work Area 2 (January 14, 2021).

Photo 3: Facing north from the southern portion of Upland Work Area 2 (January 14, 2021).

Photo 4: Facing southwest from the Upstream Work Area (January 14, 2021).

Photo 5: Facing northeast from the southern portion of Upland Work Area 2 (January 14, 2021).

Photo 6: Facing southwest from the southern portion of Upland Work Area 2 (January 14, 2021).

Photo 7: Facing southwest from the eastern portion of Upland Work Area 2 (January 14, 2021).

Photo 8: Facing northeast from the eastern portion of Upland Work Area 2 (January 14, 2021).

Photo 9: Facing northeast from the eastern portion of Upland Work Area 2 (January 14, 2021).

Photo 10: Facing northeast at the Upstream Work Area from the boundary of Upstream Work Area 2 (January 14, 2021).

Photo 11: Facing west from the boundary between the Upstream Work Area and Upland Work Area 2 (January 14, 2021).

Photo 12: Facing north at the Downstream Work Area from the boundary of Upstream Work Area 1 (January 14, 2021).

# Appendix B – Species Database Searches

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# United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish And Wildlife Office
2493 Portola Road, Suite B
Ventura, CA 93003-7726
Phone: (805) 644-1766 Fax: (805) 644-3958

In Reply Refer To: January 31, 2021
Consultation Code: 08EVEN00-2021-SLI-0154
Event Code: 08EVEN00-2021-E-00406
Project Name: Geotechnical Field Explorations for Vern Freeman Diversion Hardened Ramp Option

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed list identifies species listed as threatened and endangered, species proposed for listing as threatened or endangered, designated and proposed critical habitat, and species that are candidates for listing that may occur within the boundary of the area you have indicated using the U.S. Fish and Wildlife Service's (Service) Information Planning and Conservation System (IPaC). The species list fulfills the requirements under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the species list should be verified after 90 days. We recommend that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists following the same process you used to receive the enclosed list. Please include the Consultation Tracking Number in the header of this letter with any correspondence about the species list.

Due to staff shortages and excessive workload, we are unable to provide an official list more specific to your area. Numerous other sources of information are available for you to narrow the list to the habitats and conditions of the site in which you are interested. For example, we recommend conducting a biological site assessment or surveys for plants and animals that could help refine the list.

If a Federal agency is involved in the project, that agency has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a major construction project*, the Federal agency has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the Federal agency determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to exchange information and resolve

conflicts with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the Federal agency may engage in planning efforts but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Federal agencies are required to confer with the Service, pursuant to section 7(a)(4) of the Act, when an agency action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat (50 CFR 402.10(a)). A request for formal conference must be in writing and should include the same information that would be provided for a request for formal consultation. Conferences can also include discussions between the Service and the Federal agency to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat early in the decision-making process. The Service recommends ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) of the Act does not apply until the species is listed or the proposed critical habitat is designated. The conference process fulfills the need to inform Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

When a proposed species or proposed critical habitat may be affected by an action, the lead Federal agency may elect to enter into formal conference with the Service even if the action is not likely to jeopardize or result in the destruction or adverse modification of proposed critical habitat. If the proposed species is listed or the proposed critical habitat is designated after completion of the conference, the Federal agency may ask the Service, in writing, to confirm the conference as a formal consultation. If the Service reviews the proposed action and finds that no significant changes in the action as planned or in the information used during the conference have occurred, the Service will confirm the conference as a formal consultation on the project and no further section 7 consultation will be necessary. Use of the formal conference process in this manner can prevent delays in the event the proposed species is listed or the proposed critical habitat is designated during project development or implementation.

Candidate species are those species presently under review by the Service for consideration for Federal listing. Candidate species should be considered in the planning process because they may become listed or proposed for listing prior to project completion. Preparation of a biological assessment, as described in section 7(c) of the Act, is not required for candidate species. If early evaluation of your project indicates that it is likely to affect a candidate species, you may wish to request technical assistance from this office.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Wildlife's Natural Diversity Data Base. You can contact the California Department of Fish and Wildlife at (916) 324-3812 for information on other sensitive species that may occur in this area.

[*A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.]

Attachment(s):

- Official Species List

# Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Ventura Fish And Wildlife Office**
2493 Portola Road, Suite B
Ventura, CA 93003-7726
(805) 644-1766

# Project Summary

Consultation Code: 08EVEN00-2021-SLI-0154
Event Code: 08EVEN00-2021-E-00406
Project Name: Geotechnical Field Explorations for Vern Freeman Diversion Hardened Ramp Option
Project Type: ** OTHER **
Project Description: United Water Conservation District is proposing to conduct geotechnical field explorations to investigate site characteristics and inform potential design and construction of a hardened ramp at the Vern Freeman Diversion Structure Facility. The facility is located on the Santa Clara River, approximately 4 miles southwest of the city center of Santa Paula in Ventura County. Explorations would occur in the vicinity of the left abutment of the existing diversion.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@34.2983962,-119.10821632035348,14z

Counties: Ventura County, California

# Endangered Species Act Species

There is a total of 11 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

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1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Birds

| NAME | STATUS |
|---|---|
| California Condor *Gymnogyps californianus*<br>Population: U.S.A. only, except where listed as an experimental population<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/8193 | Endangered |
| Coastal California Gnatcatcher *Polioptila californica californica*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/8178 | Threatened |
| Least Bell's Vireo *Vireo bellii pusillus*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/5945 | Endangered |
| Southwestern Willow Flycatcher *Empidonax traillii extimus*<br>There is **final** critical habitat for this species. Your location overlaps the critical habitat.<br>Species profile: https://ecos.fws.gov/ecp/species/6749 | Endangered |

## Amphibians

| NAME | STATUS |
|---|---|
| California Red-legged Frog *Rana draytonii*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/2891 | Threatened |

## Crustaceans

| NAME | STATUS |
|---|---|
| Riverside Fairy Shrimp *Streptocephalus woottoni*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/8148 | Endangered |
| Vernal Pool Fairy Shrimp *Branchinecta lynchi*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/498 | Threatened |

## Flowering Plants

| NAME | STATUS |
|---|---|
| California Orcutt Grass *Orcuttia californica*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/4923 | Endangered |
| Gambel's Watercress *Rorippa gambellii*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/4201 | Endangered |
| Marsh Sandwort *Arenaria paludicola*<br>No critical habitat has been designated for this species.<br>Species profile: https://ecos.fws.gov/ecp/species/2229 | Endangered |
| Spreading Navarretia *Navarretia fossalis*<br>There is **final** critical habitat for this species. The location of the critical habitat is not available.<br>Species profile: https://ecos.fws.gov/ecp/species/1334 | Threatened |

## Critical habitats

There is 1 critical habitat wholly or partially within your project area under this office's jurisdiction.

| NAME | STATUS |
|---|---|
| Southwestern Willow Flycatcher *Empidonax traillii extimus*<br>https://ecos.fws.gov/ecp/species/6749#crithab | Final |

# Selected Elements by Scientific Name

## California Department of Fish and Wildlife

## California Natural Diversity Database

**Query Criteria:** Quad IS (Ojai (3411942) OR Santa Paula Peak (3411941) OR Fillmore (3411848) OR Saticoy (3411932) OR Moorpark (3411838) OR Oxnard (3411922) OR Camarillo (3411921) OR Newbury Park (3411828) OR Santa Paula (3411931))

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Agelaius tricolor*** tricolored blackbird | ABPBXB0020 | None | Threatened | G1G2 | S1S2 | SSC |
| ***Anniella spp.*** California legless lizard | ARACC01070 | None | None | G3G4 | S3S4 | SSC |
| ***Anniella stebbinsi*** Southern California legless lizard | ARACC01060 | None | None | G3 | S3 | SSC |
| ***Antrozous pallidus*** pallid bat | AMACC10010 | None | None | G4 | S3 | SSC |
| ***Aquila chrysaetos*** golden eagle | ABNKC22010 | None | None | G5 | S3 | FP |
| ***Arizona elegans occidentalis*** California glossy snake | ARADB01017 | None | None | G5T2 | S2 | SSC |
| ***Aspidoscelis tigris stejnegeri*** coastal whiptail | ARACJ02143 | None | None | G5T5 | S3 | SSC |
| ***Astragalus brauntonii*** Braunton's milk-vetch | PDFAB0F1G0 | Endangered | None | G2 | S2 | 1B.1 |
| ***Astragalus didymocarpus var. milesianus*** Miles' milk-vetch | PDFAB0F2X3 | None | None | G5T2 | S2 | 1B.2 |
| ***Astragalus pycnostachyus var. lanosissimus*** Ventura Marsh milk-vetch | PDFAB0F7B1 | Endangered | Endangered | G2T1 | S1 | 1B.1 |
| ***Athene cunicularia*** burrowing owl | ABNSB10010 | None | None | G4 | S3 | SSC |
| ***Atriplex serenana var. davidsonii*** Davidson's saltscale | PDCHE041T1 | None | None | G5T1 | S1 | 1B.2 |
| ***Bombus crotchii*** Crotch bumble bee | IIHYM24480 | None | Candidate Endangered | G3G4 | S1S2 | |
| ***California Walnut Woodland*** California Walnut Woodland | CTT71210CA | None | None | G2 | S2.1 | |
| ***Calochortus clavatus var. gracilis*** slender mariposa-lily | PMLIL0D096 | None | None | G4T2T3 | S2S3 | 1B.2 |
| ***Calochortus fimbriatus*** late-flowered mariposa-lily | PMLIL0D1J2 | None | None | G3 | S3 | 1B.3 |
| ***Calochortus plummerae*** Plummer's mariposa-lily | PMLIL0D150 | None | None | G4 | S4 | 4.2 |
| ***Catostomus santaanae*** Santa Ana sucker | AFCJC02190 | Threatened | None | G1 | S1 | |
| ***Centromadia parryi ssp. australis*** southern tarplant | PDAST4R0P4 | None | None | G3T2 | S2 | 1B.1 |

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Chaetodipus californicus femoralis*** Dulzura pocket mouse | AMAFD05021 | None | None | G5T3 | S3 | SSC |
| ***Charadrius nivosus nivosus*** western snowy plover | ABNNB03031 | Threatened | None | G3T3 | S2 | SSC |
| ***Chloropyron maritimum ssp. maritimum*** salt marsh bird's-beak | PDSCR0J0C2 | Endangered | Endangered | G4?T1 | S1 | 1B.2 |
| ***Cicindela hirticollis gravida*** sandy beach tiger beetle | IICOL02101 | None | None | G5T2 | S2 | |
| ***Coastal and Valley Freshwater Marsh*** Coastal and Valley Freshwater Marsh | CTT52410CA | None | None | G3 | S2.1 | |
| ***Coccyzus americanus occidentalis*** western yellow-billed cuckoo | ABNRB02022 | Threatened | Endangered | G5T2T3 | S1 | |
| ***Coelus globosus*** globose dune beetle | IICOL4A010 | None | None | G1G2 | S1S2 | |
| ***Danaus plexippus pop. 1*** monarch - California overwintering population | IILEPP2012 | Candidate | None | G4T2T3 | S2S3 | |
| ***Delphinium umbraculorum*** umbrella larkspur | PDRAN0B1W0 | None | None | G3 | S3 | 1B.3 |
| ***Diadophis punctatus modestus*** San Bernardino ringneck snake | ARADB10015 | None | None | G5T2T3 | S2? | |
| ***Dudleya blochmaniae ssp. blochmaniae*** Blochman's dudleya | PDCRA04051 | None | None | G3T2 | S2 | 1B.1 |
| ***Dudleya cymosa ssp. marcescens*** marcescent dudleya | PDCRA040A3 | Threatened | Rare | G5T2 | S2 | 1B.2 |
| ***Dudleya parva*** Conejo dudleya | PDCRA04016 | Threatened | None | G1 | S1 | 1B.2 |
| ***Dudleya verityi*** Verity's dudleya | PDCRA040U0 | Threatened | None | G1 | S1 | 1B.1 |
| ***Elanus leucurus*** white-tailed kite | ABNKC06010 | None | None | G5 | S3S4 | FP |
| ***Empidonax traillii extimus*** southwestern willow flycatcher | ABPAE33043 | Endangered | Endangered | G5T2 | S1 | |
| ***Emys marmorata*** western pond turtle | ARAAD02030 | None | None | G3G4 | S3 | SSC |
| ***Eremophila alpestris actia*** California horned lark | ABPAT02011 | None | None | G5T4Q | S4 | WL |
| ***Eriogonum crocatum*** conejo buckwheat | PDPGN081G0 | None | Rare | G1 | S1 | 1B.2 |
| ***Eucyclogobius newberryi*** tidewater goby | AFCQN04010 | Endangered | None | G3 | S3 | |
| ***Falco peregrinus anatum*** American peregrine falcon | ABNKD06071 | Delisted | Delisted | G4T4 | S3S4 | FP |

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Fritillaria ojaiensis*** Ojai fritillary | PMLIL0V0N0 | None | None | G3 | S3 | 1B.2 |
| ***Gasterosteus aculeatus williamsoni*** unarmored threespine stickleback | AFCPA03011 | Endangered | Endangered | G5T1 | S1 | FP |
| ***Gila orcuttii*** arroyo chub | AFCJB13120 | None | None | G2 | S2 | SSC |
| ***Gymnogyps californianus*** California condor | ABNKA03010 | Endangered | Endangered | G1 | S1 | FP |
| ***Lasiurus cinereus*** hoary bat | AMACC05030 | None | None | G3G4 | S4 | |
| ***Lasthenia glabrata ssp. coulteri*** Coulter's goldfields | PDAST5L0A1 | None | None | G4T2 | S2 | 1B.1 |
| ***Laterallus jamaicensis coturniculus*** California black rail | ABNME03041 | None | Threatened | G3G4T1 | S1 | FP |
| ***Lepechinia rossii*** Ross' pitcher sage | PDLAM0V060 | None | None | G1 | S1 | 1B.2 |
| ***Lepidium virginicum var. robinsonii*** Robinson's pepper-grass | PDBRA1M114 | None | None | G5T3 | S3 | 4.3 |
| ***Linderiella occidentalis*** California linderiella | ICBRA06010 | None | None | G2G3 | S2S3 | |
| ***Lupinus paynei*** Payne's bush lupine | PDFAB2B580 | None | None | G1Q | S1 | 1B.1 |
| ***Malacothrix similis*** Mexican malacothrix | PDAST660D0 | None | None | G2G3 | SH | 2A |
| ***Monardella hypoleuca ssp. hypoleuca*** white-veined monardella | PDLAM180A5 | None | None | G4T3 | S3 | 1B.3 |
| ***Monardella sinuata ssp. gerryi*** Gerry's curly-leaved monardella | PDLAM18163 | None | None | G3T1 | S1 | 1B.1 |
| ***Navarretia ojaiensis*** Ojai navarretia | PDPLM0C130 | None | None | G2 | S2 | 1B.1 |
| ***Neotoma lepida intermedia*** San Diego desert woodrat | AMAFF08041 | None | None | G5T3T4 | S3S4 | SSC |
| ***Oncorhynchus mykiss irideus pop. 10*** steelhead - southern California DPS | AFCHA0209J | Endangered | None | G5T1Q | S1 | |
| ***Passerculus sandwichensis beldingi*** Belding's savannah sparrow | ABPBX99015 | None | Endangered | G5T3 | S3 | |
| ***Pentachaeta lyonii*** Lyon's pentachaeta | PDAST6X060 | Endangered | Endangered | G1 | S1 | 1B.1 |
| ***Phrynosoma blainvillii*** coast horned lizard | ARACF12100 | None | None | G3G4 | S3S4 | SSC |
| ***Polioptila californica californica*** coastal California gnatcatcher | ABPBJ08081 | Threatened | None | G4G5T3Q | S2 | SSC |

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Pseudognaphalium leucocephalum*** white rabbit-tobacco | PDAST440C0 | None | None | G4 | S2 | 2B.2 |
| ***Quercus dumosa*** Nuttall's scrub oak | PDFAG050D0 | None | None | G3 | S3 | 1B.1 |
| ***Rana boylii*** foothill yellow-legged frog | AAABH01050 | None | Endangered | G3 | S3 | SSC |
| ***Rana draytonii*** California red-legged frog | AAABH01022 | Threatened | None | G2G3 | S2S3 | SSC |
| ***Riparia riparia*** bank swallow | ABPAU08010 | None | Threatened | G5 | S2 | |
| ***Senecio aphanactis*** chaparral ragwort | PDAST8H060 | None | None | G3 | S2 | 2B.2 |
| ***Setophaga petechia*** yellow warbler | ABPBX03010 | None | None | G5 | S3S4 | SSC |
| ***Southern California Steelhead Stream*** Southern California Steelhead Stream | CARE2310CA | None | None | GNR | SNR | |
| ***Southern Coast Live Oak Riparian Forest*** Southern Coast Live Oak Riparian Forest | CTT61310CA | None | None | G4 | S4 | |
| ***Southern Coastal Salt Marsh*** Southern Coastal Salt Marsh | CTT52120CA | None | None | G2 | S2.1 | |
| ***Southern Cottonwood Willow Riparian Forest*** Southern Cottonwood Willow Riparian Forest | CTT61330CA | None | None | G3 | S3.2 | |
| ***Southern Mixed Riparian Forest*** Southern Mixed Riparian Forest | CTT61340CA | None | None | G2 | S2.1 | |
| ***Southern Riparian Forest*** Southern Riparian Forest | CTT61300CA | None | None | G4 | S4 | |
| ***Southern Riparian Scrub*** Southern Riparian Scrub | CTT63300CA | None | None | G3 | S3.2 | |
| ***Southern Sycamore Alder Riparian Woodland*** Southern Sycamore Alder Riparian Woodland | CTT62400CA | None | None | G4 | S4 | |
| ***Southern Willow Scrub*** Southern Willow Scrub | CTT63320CA | None | None | G3 | S2.1 | |
| ***Spea hammondii*** western spadefoot | AAABF02020 | None | None | G2G3 | S3 | SSC |
| ***Sternula antillarum browni*** California least tern | ABNNM08103 | Endangered | Endangered | G4T2T3Q | S2 | FP |
| ***Symphyotrichum greatae*** Greata's aster | PDASTE80U0 | None | None | G2 | S2 | 1B.3 |
| ***Taxidea taxus*** American badger | AMAJF04010 | None | None | G5 | S3 | SSC |
| ***Texosporium sancti-jacobi*** woven-spored lichen | NLTEST7980 | None | None | G3 | S2 | 3 |

| Species | Element Code | Federal Status | State Status | Global Rank | State Rank | Rare Plant Rank/CDFW SSC or FP |
|---|---|---|---|---|---|---|
| ***Thamnophis hammondii*** two-striped gartersnake | ARADB36160 | None | None | G4 | S3S4 | SSC |
| ***Thamnophis sirtalis pop. 1*** south coast gartersnake | ARADB3613F | None | None | G5T1T2 | S1S2 | SSC |
| ***Trimerotropis occidentiloides*** Santa Monica grasshopper | IIORT36300 | None | None | G1G2 | S1S2 | |
| ***Tryonia imitator*** mimic tryonia (=California brackishwater snail) | IMGASJ7040 | None | None | G2 | S2 | |
| ***Valley Needlegrass Grassland*** Valley Needlegrass Grassland | CTT42110CA | None | None | G3 | S3.1 | |
| ***Valley Oak Woodland*** Valley Oak Woodland | CTT71130CA | None | None | G3 | S2.1 | |
| ***Vireo bellii pusillus*** least Bell's vireo | ABPBW01114 | Endangered | Endangered | G5T2 | S2 | |

**Record Count: 89**

CNPS California Native Plant Society

*The database used to provide updates to the Online Inventory is under construction. View updates and changes made since May 2019 here.

# Plant List

**49** matches found. *Click on scientific name for details*

**Search Criteria**

Found in Quads 3411942, 3411941, 3411848, 3411932, 3411931, 3411838, 3411922 3411921 and 3411828;

Modify Search Criteria | Export to Excel | Modify Columns | Modify Sort | Display Photos

| Scientific Name | Common Name | Family | Lifeform | Blooming Period | CA Rare Plant Rank | State Listing Status | Federal Listing Status |
|---|---|---|---|---|---|---|---|
| Abronia villosa var. aurita | chaparral sand-verbena | Nyctaginaceae | annual herb | (Jan)Mar-Sep | 1B.1 | | |
| Asplenium vespertinum | western spleenwort | Aspleniaceae | perennial rhizomatous herb | Feb-Jun | 4.2 | | |
| Astragalus brauntonii | Braunton's milk-vetch | Fabaceae | perennial herb | Jan-Aug | 1B.1 | | FE |
| Astragalus didymocarpus var. milesianus | Miles' milk-vetch | Fabaceae | annual herb | Mar-Jun | 1B.2 | | |
| Astragalus pycnostachyus var. lanosissimus | Ventura marsh milk-vetch | Fabaceae | perennial herb | (Jun)Aug-Oct | 1B.1 | CE | FE |
| Atriplex serenana var. davidsonii | Davidson's saltscale | Chenopodiaceae | annual herb | Apr-Oct | 1B.2 | | |
| Baccharis plummerae ssp. plummerae | Plummer's baccharis | Asteraceae | perennial deciduous shrub | May,Aug,Sep,Oct | 4.3 | | |
| Calochortus catalinae | Catalina mariposa lily | Liliaceae | perennial bulbiferous herb | (Feb)Mar-Jun | 4.2 | | |
| Calochortus clavatus var. clavatus | club-haired mariposa lily | Liliaceae | perennial bulbiferous herb | (Mar)May-Jun | 4.3 | | |
| Calochortus fimbriatus | late-flowered mariposa lily | Liliaceae | perennial bulbiferous herb | Jun-Aug | 1B.3 | | |
| Calochortus plummerae | Plummer's mariposa lily | Liliaceae | perennial bulbiferous herb | May-Jul | 4.2 | | |
| Centromadia parryi ssp. australis | southern tarplant | Asteraceae | annual herb | May-Nov | 1B.1 | | |
| Chloropyron maritimum ssp. maritimum | salt marsh bird's-beak | Orobanchaceae | annual herb (hemiparasitic) | May-Oct(Nov) | 1B.2 | CE | FE |

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Convolvulus simulans | small-flowered morning-glory | Convolvulaceae | annual herb | Mar-Jul | 4.2 | | |
| Delphinium parryi ssp. blochmaniae | dune larkspur | Ranunculaceae | perennial herb | Apr-Jun | 1B.2 | | |
| Delphinium parryi ssp. purpureum | Mt. Pinos larkspur | Ranunculaceae | perennial herb | May-Jun | 4.3 | | |
| Delphinium umbraculorum | umbrella larkspur | Ranunculaceae | perennial herb | Apr-Jun | 1B.3 | | |
| Dudleya blochmaniae ssp. blochmaniae | Blochman's dudleya | Crassulaceae | perennial herb | Apr-Jun | 1B.1 | | |
| Dudleya cymosa ssp. marcescens | marcescent dudleya | Crassulaceae | perennial herb | Apr-Jul | 1B.2 | CR | FT |
| Dudleya parva | Conejo dudleya | Crassulaceae | perennial herb | May-Jun | 1B.2 | | FT |
| Dudleya verityi | Verity's dudleya | Crassulaceae | perennial herb | May-Jun | 1B.1 | | FT |
| Eriogonum crocatum | conejo buckwheat | Polygonaceae | perennial herb | Apr-Jul | 1B.2 | CR | |
| Fritillaria ojaiensis | Ojai fritillary | Liliaceae | perennial bulbiferous herb | Feb-May | 1B.2 | | |
| Heterotheca sessiliflora ssp. sessiliflora | beach goldenaster | Asteraceae | perennial herb | Mar-Dec | 1B.1 | | |
| Hordeum intercedens | vernal barley | Poaceae | annual herb | Mar-Jun | 3.2 | | |
| Horkelia cuneata var. puberula | mesa horkelia | Rosaceae | perennial herb | Feb-Jul(Sep) | 1B.1 | | |
| Juglans californica | Southern California black walnut | Juglandaceae | perennial deciduous tree | Mar-Aug | 4.2 | | |
| Juncus acutus ssp. leopoldii | southwestern spiny rush | Juncaceae | perennial rhizomatous herb | (Mar)May-Jun | 4.2 | | |
| Lasthenia glabrata ssp. coulteri | Coulter's goldfields | Asteraceae | annual herb | Feb-Jun | 1B.1 | | |
| Lepechinia fragrans | fragrant pitcher sage | Lamiaceae | perennial shrub | Mar-Oct | 4.2 | | |
| Lepechinia rossii | Ross' pitcher sage | Lamiaceae | perennial shrub | May-Sep | 1B.2 | | |
| Lepidium virginicum var. robinsonii | Robinson's pepper-grass | Brassicaceae | annual herb | Jan-Jul | 4.3 | | |
| Lilium humboldtii ssp. ocellatum | ocellated Humboldt lily | Liliaceae | perennial bulbiferous herb | Mar-Jul(Aug) | 4.2 | | |
| Lupinus paynei | Payne's bush lupine | Fabaceae | perennial shrub | Mar-Apr(May-Jul) | 1B.1 | | |
| Malacothrix similis | Mexican malacothrix | Asteraceae | annual herb | Apr-May | 2A | | |
| Monardella hypoleuca ssp. hypoleuca | white-veined monardella | Lamiaceae | perennial herb | (Apr)May-Aug(Sep-Dec) | 1B.3 | | |
| Monardella sinuata ssp. gerryi | Gerry's curly-leaved monardella | Lamiaceae | annual herb | Apr-Jun | 1B.1 | | |
| Monardella sinuata ssp. sinuata | southern curly-leaved monardella | Lamiaceae | annual herb | Apr-Sep | 1B.2 | | |
| Navarretia ojaiensis | Ojai navarretia | Polemoniaceae | annual herb | May-Jul | 1B.1 | | |
| Pentachaeta lyonii | Lyon's pentachaeta | Asteraceae | annual herb | (Feb)Mar-Aug | 1B.1 | CE | FE |

| | | | | | |
|---|---|---|---|---|---|
| Phacelia ramosissima var. austrolitoralis | south coast branching phacelia | Hydrophyllaceae | perennial herb | Mar-Aug | 3.2 |
| Piperia michaelii | Michael's rein orchid | Orchidaceae | perennial herb | Apr-Aug | 4.2 |
| Polygala cornuta var. fishiae | Fish's milkwort | Polygalaceae | perennial deciduous shrub | May-Aug | 4.3 |
| Pseudognaphalium leucocephalum | white rabbit-tobacco | Asteraceae | perennial herb | (Jul)Aug-Nov(Dec) | 2B.2 |
| Quercus dumosa | Nuttall's scrub oak | Fagaceae | perennial evergreen shrub | Feb-Apr(May-Aug) | 1B.1 |
| Senecio aphanactis | chaparral ragwort | Asteraceae | annual herb | Jan-Apr(May) | 2B.2 |
| Suaeda taxifolia | woolly seablite | Chenopodiaceae | perennial evergreen shrub | Jan-Dec | 4.2 |
| Symphyotrichum greatae | Greata's aster | Asteraceae | perennial rhizomatous herb | Jun-Oct | 1B.3 |
| Texosporium sancti-jacobi | woven-spored lichen | Caliciaceae | crustose lichen (terricolous) | | 3 |

**Suggested Citation**

California Native Plant Society, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org [accessed 18 May 2021].

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**Questions and Comments**
rareplants@cnps.org

# United Water Conservation District

# Freeman Diversion Fish Passage Facility Geotechnical Exploration Project

## MITIGATION MONITORING AND REPORTING PROGRAM

The Mitigation Monitoring and Reporting Program (MMRP) is a CEQA-required component of the Mitigated Negative Declaration (MND) process for the Freeman Diversion Fish Passage Facility Geotechnical Exploration Project (Project). The results of the environmental analyses, including proposed mitigation measures, are documented in the Final MND. CEQA requires that agencies adopting MNDs take affirmative steps to determine that approved mitigation measures are implemented subsequent to project approval. As part of the CEQA environmental review procedures, Public Resources Code (PRC) Section 21081.6 requires a public agency to adopt a monitoring and reporting program to ensure efficacy and enforceability of any mitigation measures applied to a proposed project. The lead agency (i.e., United Water Conservation District [District]) must adopt an MMRP for mitigation measures incorporated into the project or proposed as conditions of approval. The MMRP must be designed to ensure compliance during project implementation. As stated in PRC Section 21081.6(a)(1):

> The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

The MMRP is provided in **Table 1**. The table lists each of the mitigation measures proposed in the Final MND and specifies the agency responsible for implementation of the mitigation measure and the time period for the mitigation measure.

**Table 1. Mitigation Monitoring and Reporting Program, Freeman Diversion Fish Passage Facility Geotechnical Explorations Project**

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| **Air Quality** | | | |
| | **Mitigation Measure AQ-1: Best Management Practices to Reduce Fugitive Dust, Reactive Organic Compound, and Nitrogen Oxide Emissions.**<br><br>The following measures will be implemented during/ following geotechnical exploration activities to the extent possible.<br><br>• The area disturbed by clearing, grading, earth moving, or excavation operations shall be minimized to prevent excessive amounts of dust.<br><br>• Pre-grading/excavation activities shall include watering the area to be graded or excavated before commencement of grading or excavation operations. Application of water (screened water from the District's diversion facilities) should penetrate sufficiently to minimize fugitive dust during grading activities.<br><br>• Fugitive dust produced during grading, excavation, and construction activities shall be controlled by the following activities:<br><br>• All graded and excavated material, exposed soil areas, and active portions of the construction site, including unpaved onsite roadways, shall be treated to prevent fugitive dust. Treatment shall include, but not necessarily be limited to, periodic watering, application of environmentally safe soil stabilization materials, and/or roll-compaction as | District and construction contractor | Prior to and during construction |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | appropriate. Watering shall be done as often as necessary.<br>• Graded and/or excavated inactive areas of the construction site shall be monitored by the District at least weekly for dust stabilization. Soil stabilization methods, such as water and roll-compaction, and environmentally safe dust control materials, shall be periodically applied to portions of the project site that are inactive for over 4 days, as determined to be necessary and/or as part of normal District operations. For the geotechnical exploration areas that are located outside of the existing footprint of the Freeman Diversion facility and outside of the Santa Clara River channel, if no further grading or excavation operations are planned for the area, disturbed areas should be seeded with a native seed mix and watered until grass growth is evident, or periodically treated with environmentally safe dust suppressants, to prevent excessive fugitive dust.<br>• Signs shall be posted onsite limiting traffic to 15 miles per hour or less.<br>• During periods of high winds (i.e., wind speed sufficient to cause fugitive dust to impact adjacent properties), all clearing, grading, earth moving, and excavation operations shall be curtailed to the degree necessary to prevent fugitive dust created by onsite activities and operations from being a nuisance or hazard, either offsite or onsite. The site superintendent/supervisor shall use | | |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | his/her discretion in conjunction with the Ventura County Air Pollution Control District (VCAPCD) in determining when winds are excessive.<br>• Personnel involved in grading operations, including contractors and subcontractors, should be advised to wear respiratory protection in accordance with California Division of Occupational Safety and Health regulations.<br>• Minimize equipment idling time<br>• Maintain equipment engines in good condition and in proper tune as per manufacturers' specifications<br>• Lengthen the construction period during smog season (May through October), to minimize the number of vehicles and equipment operating at the same time<br>• Use alternatively fueled construction equipment, such as compressed natural gas, liquefied natural gas, or electric, if feasible. | | |
| **Biological** | | | |
| | **Mitigation Measure BIO-1: Implement Measures to Minimize Potential for Direct Impacts on Steelhead and Steelhead Habitat.**<br>To minimize potential direct effects of geotechnical explorations on steelhead and its habitat, the District will ensure that the following measures are implemented: | District and construction contractor | Prior to and during construction |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | • Heavy equipment operation will be limited to the minimum area necessary. Work area boundaries will be clearly identified before investigations begin, and no work will occur outside these work areas unless approved by the District Environmental Scientist responsible for permit compliance. All boundary markers will be removed immediately after work in a given area is complete.<br>• Before entering the site, all equipment will be washed at a location designated by the District Environmental Scientist responsible for permit compliance to ensure equipment is free of mud, algae, snails, and other debris. All equipment will be inspected before leaving the site to ensure it is free of mud and other debris that could contain invasive species.<br>• If an in-channel boring location is vegetated and vegetation removal is not covered by the existing Freeman Diversion Maintenance Project authorizations, the boring will be moved to an alternate location that does not require vegetation trimming/cutting, if feasible. If an appropriate alternative location that would provide the necessary geotechnical data and avoid vegetation trimming/cutting is not available, vegetation impacts will be limited to trimming/cutting the minimum area and extent required to allow access. Vegetation may be cut to near ground level, but complete removal will not occur. Cut vegetation will be immediately removed from and deposited where it cannot re-enter the channel. | | |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | • If areas not covered by the existing Freeman Diversion Maintenance Project authorizations require flow rerouting or dewatering to access boring locations in the Upstream or Downstream Work Area, surveys will be conducted before flow rerouting or dewatering begin in an effort to identify steelhead and other native fish. Relevant areas will be surveyed by two or more biologists/technicians knowledgeable and experienced in steelhead and other native fish identification and ecology. Survey methods may include bank observations and snorkeling. Snorkeling will be conducted when water depth (e.g., >1 foot) or in-channel complexity (e.g., woody debris or riprap) causes bank observations to be ineffective. If conditions are not conducive for confidently surveying the work area for steelhead presence, activities in the affected area will be postponed until such conditions exist or alternate means of access (e.g., crane) will be employed. If steelhead are observed, flow rerouting and/or dewatering in occupied areas will not occur, and the affected boring(s) will be relocated as necessary. If steelhead are not observed, a biologist knowledgeable and experienced in steelhead identification and ecology will be on the site during flow rerouting and/or dewatering to exclude native fish and confirm steelhead do not enter the flow rerouting/ dewatering area. Pacific lamprey ammocoetes found present in the flow rerouting/ dewatering area will be collected and relocated to adjacent suitable habitat. | | |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | • All project work will cease if a listed species is observed in the work areas until the individual(s) leaves on its own accord, or until USACE completes additional consultation with USFWS and/or NMFS, as appropriate. If a listed species is observed, project personnel will notify the designated District Environmental Scientist who will be responsible for contacting the USACE as well as CDFW.<br>• A worker environmental awareness training will be provided by a District Environmental Scientist or qualified biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated handout will include contact information for the District Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and the District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and the District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations. | | |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | **Mitigation Measure BIO-2: Minimize Potential for Destruction of Western Pond Turtle Nests and Injury or Death of Special-status Reptiles.**<br><br>To minimize potential direct effects of geotechnical explorations on special-status reptiles, the District will ensure that the following measures are implemented:<br><br>• Within 10 days before in-channel geotechnical exploration activities begin, a qualified biologist will conduct an initial survey for western pond turtles along the access in-channel access routes and work areas. If a pond turtle is found, it will be allowed to move out of the area on its own. If evidence of an unhatched nest is found, a no-disturbance buffer will be established and implemented around the nest until the eggs have hatched and the young have dispersed from the area.<br><br>• Immediately before geotechnical exploration activities begin in a given area, a qualified biologist will survey the anticipated disturbance and/or dewatering area for special-status reptiles. If any individuals of target species are found, they will be allowed to move out of the area on their own before equipment moves into the area. If an individual does not leave the area and the biologist determines it can be safely captured, the animal will be relocated to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not begin until the animal has been relocated or is thought to have left the area on its own.<br><br>• A worker environmental awareness training will be provided by a District Environmental Scientist or qualified | District and construction contractor | Prior to and during construction |

| Potential Environmental Impact | Mitigation Measure | Responsible Agency | Timing |
|---|---|---|---|
| | biologist to all workers before they are allowed access to work areas. A record of trained personnel will be kept by the District Environmental Scientist responsible for permit compliance. The training and associated handout will include contact information for the Districts Environmental Scientist; a description of required avoidance and minimization measures; information on sensitive species; instructions on correct techniques and procedures for working within the river channel and associated riparian vegetation; instructions to notify the foreman and District Environmental Scientist in case of a hazardous material spill or equipment leak or upon the discovery of soil or groundwater contamination; instructions to notify the foreman and District Environmental Scientist if a sensitive species is observed; and instructions that noncompliance with any laws, rules, regulations, or conservation measures could result in a worker being barred from participating in any remaining geotechnical investigations.<br>• If a pond turtle or other possible special-status reptile is discovered in a work area during geotechnical exploration activities, it will be allowed to move out of the area on its own. If the individual does not leave the work area, the District Environmental Scientist will be notified, and a qualified biologist will attempt to safely capture and relocate the animal to suitable habitat in the vicinity, from which it is unlikely to reenter the work area. Work in the area will not resume until the animal has been relocated or is thought to have left the area on its own. | | |

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| **Cultural** | | | |
| | **Mitigation Measure CR-1: Address Previously Undiscovered Historic Resources, Archaeological Resources, and Tribal Cultural Resources.**<br><br>If cultural resources are identified during Project-related ground-disturbing activities, all potentially destructive work in the 100-feet of the find should cease immediately and the District Environmental Scientist will be notified. In the event of an inadvertent discovery, the District will retain a qualified archaeologist to assess the significance of the find, make a preliminary determination, and if appropriate, provide recommendations for a treatment plan to mitigate further impacts to the resource. Ground-disturbing activities should not resume near the find until the treatment, if any is recommended, is complete or the qualified archaeologist determines the find is not significant. | District and construction contractor | Prior to and during construction |
| | **Mitigation Measure CR-2: Avoid Potential Effects on Undiscovered Burials.**<br><br>If human remains are found, the District should be immediately notified. The California Health and Safety Code requires that excavation be halted in the immediate area and that the county coroner be notified to determine the nature of the remains. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, the coroner must contact the Native American Heritage Commission | District and construction contractor | During construction |

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| | (NAHC) by telephone within 24 hours of making that determination (Health and Safety Code, Section 7050.5[c]).<br><br>Once notified by the coroner, the NAHC shall identify the person determined to be the Most Likely Descendant (MLD) of the Native American remains. With permission of the legal landowner(s), the MLD may visit the site and make recommendations regarding the treatment and disposition of the human remains and any associated grave goods. This visit should be conducted within 24 hours of the MLD's notification by the NAHC (PRC, Section 5097.98[a]). If a satisfactory agreement for treatment of the remains cannot be reached, any of the parties may request mediation by the NAHC (PRC, Section 5097.94[k]). Should mediation fail, the landowner or the landowner's representative must reinter the remains and associated items with appropriate dignity on the property in a location not subject to further subsurface disturbance (PRC, Section 5097.98[b]). | | |
| **Geology** | | | |
| | **Mitigation Measure GEO-1: Prepare and Implement a Storm Water Pollution Prevention Plan, if required, Implement Erosion Control Best Management Practices, and Comply with Ventura County Standards for Grading and Erosion Control.**<br><br>If project activities would disturb more than 1 acre, then activities would be subject to SWRCB's statewide Stormwater General Permit for Construction (2009-0009-DWQ) requirements construction-related stormwater permit requirements of the NPDES program. Any permits will be obtained by the District before any ground-disturbing construction activity. | District and construction contractor | During construction |

If a Construction General Permit is needed, it would also require preparation of a Storm Water Pollution Prevention Plan (SWPPP) that identifies best management practices (BMPs) for erosion control and to prevent or minimize the introduction of contaminants into surface waters. Such BMPs could include, but would not be limited to, silt fencing, straw bale barriers, fiber rolls, storm drain inlet protection, hydraulic mulch, and a stabilized construction entrance. The SWPPP will include development of site-specific structural and operational BMPs to prevent and control impacts on runoff quality, measures to be implemented before each storm event, inspection and maintenance of BMPs, and monitoring of runoff quality by visual and/or analytical means. The SWPPP will also include dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. The BMPs shall be clearly identified and maintained in good working condition throughout the construction process. The construction contractor shall retain a copy of the approved SWPPP on the construction site and modify it as necessary to suit specific site conditions.

If it's determined that a construction General Permit and SWPPP is not necessary for the proposed project, the District would still identify and implement BMPs for erosion control, similar to those listed above, to prevent contaminants entering surface water.

The District would obtain and comply with all provisions of a Ventura County Grading Permit, if required.

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| | **Mitigation Measure GEO-2: Implement Construction Worker Personnel Training, Stop Work if Paleontological Resources are Encountered During Earthmoving Activities and Implement a Recovery Plan, if Appropriate.**<br><br>To minimize the potential for destruction of or damage to potentially unique, paleontological resources during earth-moving activities, the District will implement the measures described below.<br><br>• Before the start of construction activities at the project site, construction personnel involved with earth-moving activities (including the site superintendent) will be informed of the possibility of encountering fossils and proper notification procedures should potential fossils be encountered. This worker training may be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources is presented.<br><br>• If paleontological resources are discovered during earth-moving activities, the construction crew will notify the District and will immediately cease work in the vicinity of the find. The District will retain a qualified paleontologist to inspect the discovery and determine whether further investigation is required. If the discovery can be avoided and no further impacts will occur, no further effort shall be required.<br><br>• If the resource cannot be avoided and may be subject to further impact, a qualified paleontologist shall evaluate the resource in accordance with SVP Guidelines (2010) and determine whether it is "unique" under CEQA, Appendix G, part VII. The determination and associated | District and construction contractor | During construction |

| | | | |
|---|---|---|---|
| | plan for protection of the resource shall be provided to the District for review and approval. If the resource is determined not to be unique, work may commence in the area. If the resource is determined to be a unique paleontological resource, work shall remain halted, and the paleontologist shall consult with the District staff regarding methods to ensure that no substantial adverse change would occur to the significance of the resource pursuant to CEQA.<br><br>• Preservation in place (i.e., avoidance) is the preferred method of mitigation for impacts to paleontological resources and shall be required unless there are other equally effective methods. Other methods may be used but must ensure that the fossils are recovered, prepared, identified, catalogued, and analyzed according to current professional standards under the direction of a qualified paleontologist. All recovered fossils shall be curated at an accredited and permanent scientific institution according to Society of Vertebrate Paleontology standard guidelines; typically, the Natural History Museum of Los Angeles County and University of California, Berkeley accept paleontological collections at no cost to the donor. Work may commence upon completion of treatment, as approved by the District. | | |
| **Hydrology/Water Quality** | | | |
| | **Mitigation Measure HAZ-1: Implement Best Management Practices to Minimize the Potential Release of Hazardous Materials.**<br><br>Project-related vehicles and equipment will be maintained prior to site access and checked and maintained daily to prevent leaks of materials that, if introduced to the water, could be deleterious. Equipment fueling will occur outside the | District and construction contractor | During construction |

| | | |
|---|---|---|
| | channel whenever possible. If a stationary piece of equipment cannot be readily moved out of the channel for fueling, a containment system will be used to capture any accidental spill. Onsite fueling trucks and fueling areas will contain spill kits and/or other spill protection devices. Vehicle and equipment fluid spills will be cleaned up immediately. Equipment and material staging/storage will occur outside the channel.<br><br>No project-related hazardous substances will be allowed to contaminate the soil and/or enter into or be placed where it may be washed by rainfall or runoff into the Santa Clara River. | |

Print Form

# Notice of Determination

**Appendix D**

**To:**

☐ Office of Planning and Research

| *U.S. Mail:* | *Street Address:* |
|---|---|
| P.O. Box 3044 | 1400 Tenth St., Rm 113 |
| Sacramento, CA 95812-3044 | Sacramento, CA 95814 |

☒ County Clerk
County of: Ventura
Address: 800 South Victoria Avenue
Ventura, CA 93009

**From:**
Public Agency: United Water Conservation Dist
Address: 1701 N. Lombard Street, Suite 200
Oxnard, CA 93030
Contact: Randall McInvale
Phone: 805-525-4431

Lead Agency (if different from above):
Address:
Contact:
Phone:

***SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.***

State Clearinghouse Number (if submitted to State Clearinghouse): 2021050414

Project Title: Freeman Diversion Fish Passage Facility Geotechnical Exploration Project

Project Applicant: United Water Conservation District

Project Location (include county): located on the Santa Clara River in Ventura County, California.

Project Description:

The project would collecting soil and rock core samples from 13 borings along the Freeman Diversion facility, excavating 6 test pits at key locations; and conducting seismic refraction traverses. One boring will define the depth of a landslide mass and install an inclinometer for monitoring potential movement of the landslide mass; and after the boreholes are drilled, two of the boreholes in upland areas would be converted to open standpipe piezometers for collecting groundwater level data and monitoring.

This is to advise that the United Water Conservation District has approved the above
(☒ Lead Agency or ☐ Responsible Agency)

described project on _____ and has made the following determinations regarding the above
(date)
described project.

1. The project [☐ will ☒ will not] have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
   ☒ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [☒ were ☐ were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [☒ was ☐ was not] adopted for this project.
5. A statement of Overriding Considerations [☐ was ☒ was not] adopted for this project.
6. Findings [☐ were ☒ were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
https://www.unitedwater.org/key-documents/#ceqa-documents

Signature (Public Agency): _____ Title: _____

Date: _____ Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

United Water
CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Maryam Bral, Chief Engineer
Craig Morgan. Senior Engineer

**Date:** August 24, 2021 (September 8, 2021 Board Meeting)

**Agenda Item:** **4.2 Geotechnical Investigation at the Freeman Diversion Contract Award to GEI Consultants, Inc.**
**Motion**

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**Staff Recommendation:**
The Board will consider awarding a consulting engineering contract to GEI Consultants, Inc. in the amount of $499,724 (includes 9% contingency or $41,403 to be used upon the District's written authorization only) and authorize the General Manager to execute the contract with GEI Consultants, Inc. for the Geotechnical Investigation at the Freeman Diversion.

**Background:**
Currently, new fish passage alternatives are being designed for the Freeman Diversion. As the alternatives develop additional information is needed to advance the design. The proposed geotechnical investigation, in conjunction with the historic geotechnical investigations will be a critical component of the design as it will inform the design team in how the fish passage alternative will be founded.
As with the Freeman Diversion, the new fish passage alternative will have to found on the existing bedrock/siltstone that is present in the region. This will mean that excavations ranging from 25 to 50 feet below ground surface will likely be required to uncover the bedrock/siltstone.

**Discussion:**
GEI Consultants, Inc. scope of work includes thirteen sub-surface borings, 8 test pits, the installation of 1 hillside inclinometer and lab testing that will all be documented in a Geotechnical Data Report and subsequent Geotechnical Evaluation Report that will be used to inform the engineering design by the fish passage alternative design firms.
The work will be achieved by using a track driven drill rig for the borings and a backhoe or dozer for the test pits. All of the work will be supported by a trailer that will transport all of the necessary tools and equipment required to carry out the work.
There are three borings in the river that require special permitting and can only be performed in a specific roughly 6-week time slot in between nesting season and the anticipated start of the rain season. Staff has worked with a consultant to assemble and process the necessary permits. Staff has also notified adjacent property owners of the impending work.

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**Agenda Item: 4.2 Geotechnical Investigation at the Freeman Diversion Contract Award to GEI Consultants, Inc.**
**Motion**

**Fiscal Impact:**
The total geotechnical investigation cost of $499,724 (includes 9% contingency or $41,403 to be used upon the District's written authorization only) is included in the Fiscal Year 2021-22 Capital Improvement Project (CIP) Budget (CIP No. 8001). No additional funding is requested.

Attachment A: Agreement

# AGREEMENT FOR

# PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT ("Agreement") is made and entered into on _____, 2021, by and between the **United Water Conservation District**, Ventura County, California, (hereinafter "**UNITED**"), and **GEI Consultants Inc.** (hereinafter "**CONSULTANT**").

## RECITALS:

WHEREAS, UNITED desires to obtain professional land surveying consultation services in connection with the **Supplementary Geotechnical and Geological Exploration Program for the Hardened Ramp Fish Passage Alternative** ("Project"); and

WHEREAS, UNITED has selected CONSULTANT to provide such services; and

WHEREAS, CONSULTANT represents that it has the skills, experience, license, and expertise to perform these professional services for UNITED; and

WHEREAS, UNITED is desirous of engaging the services of CONSULTANT to perform these services;

NOW, THEREFORE, based on the terms and covenants set forth herein, UNITED and CONSULTANT mutually agree as follows:

## 1. EMPLOYMENT

A. UNITED hereby employs CONSULTANT to perform and complete the professional land surveying services as set forth in Exhibit "A" ("Scope of Work/Schedule of Charges"). CONSULTANT shall perform such professional services as set forth in Exhibit "A" and shall furnish or procure the use of incidental services, equipment, and facilities reasonably necessary for the completion of services.

B. Any extra work over and above that included in the Scope of Work included in Exhibit "A" shall be in compliance with Section 3D.

C. CONSULTANT represents that its services shall be performed, within the limits prescribed by UNITED, in a manner consistent with the level of care and skill ordinarily exercised by other land surveying professionals under similar circumstances at the time and in the vicinity its services are performed.

D. **Rich Sanchez** shall: (a) personally perform or supervise the performance of services on a day-to-day basis on behalf of CONSULTANT; and (b)

maintain direct communication with UNITED's **Senior Engineer** or designee in the performance of CONSULTANT's services.

E. CONSULTANT in the performance of services hereunder shall fully comply with any and all local, state and federal laws, regulations, ordinances, and policies applicable to its work, including any licensing laws applicable to CONSULTANT's profession and anti-discrimination laws pertaining to employment practices.

F. In the event of any conflict between the terms and conditions set forth in Exhibit A (Scope of Work/Schedule of Charges) versus those terms and conditions set forth in this Agreement, the terms and conditions set forth in this Agreement shall govern and the conflicting terms and conditions in Exhibit A shall not apply.

## 2. TERM OF AGREEMENT

Unless otherwise earlier terminated as specified in Section 8, this Agreement shall commence on the date set forth above and shall expire on **January 31, 2022**.

## 3. COMPENSATION

Payment by UNITED for the consulting services shall be considered as full compensation for all personnel, materials, supplies, and equipment used in carrying out the work.

A. Compensation and payments to the CONSULTANT shall be as described below:

1. UNITED shall compensate CONSULTANT on a time and expenses basis not to exceed **Four Hundred Ninety-Nine Thousand Seven Hundred Twenty-Four Dollars ($499,724.00) (includes 9% contingency or $41,403 to be used upon the District's written authorization only)** for performing all services authorized and required by this Agreement and specified in Exhibit "A." UNITED shall compensate CONSULTANT only for actual costs incurred on a time and expenses basis, but in no event shall the total compensation be greater than the not to exceed amount above. However, the total amount paid on a time and expenses basis may be lower than the not to exceed amount above based on actual costs incurred. Payment shall be made in accordance with CONSULTANT's Schedule of Charges submitted to UNITED, included in Exhibit "A" attached and incorporated by reference herein.

2. CONSULTANT shall provide UNITED with monthly itemized invoices. Invoices shall include the categories and identities of CONSULTANT's employees performing services, a description of the services, the number of hours spent performing services, the hourly rate for each employee, CONSULTANT's actual costs and expenses, and the total amount of compensation requested by

CONSULTANT for that month. Upon UNITED's request, CONSULTANT shall include with its monthly invoices a detailed verification, including accounting records, of the work actually performed and costs and expenses incurred, along with any other documents or information reasonably requested by UNITED.

B. UNITED shall pay CONSULTANT within thirty (30) days after receipt of CONSULTANT's invoices, with the exception of any disputed amounts which shall be withheld until resolution of the dispute. If UNITED has reasonable grounds to believe that CONSULTANT will be unable to materially perform the services under this Agreement, or there exists or may exist a claim against CONSULTANT arising out of CONSULTANT's negligence or intentional acts , errors, omissions, or material breach of any provision of this Agreement, then UNITED may withhold payment of any reasonable amount due to CONSULTANT which is directly related to such negligence, intentional act, error, omission or material breach. No payment made under this Agreement shall be conclusive evidence of CONSULTANT's performance of the Agreement, either wholly or in part, and no payment shall be construed to be an acceptance by UNITED of CONSULTANT's work.

C. CONSULTANT shall notify UNITED in writing of the need for additional services required due to the circumstances beyond the CONSULTANT's control ("Additional Services"). The CONSULTANT shall obtain written authorization from UNITED before rendering any Additional Services. Compensation for all approved Additional Services shall be negotiated and approved in writing by UNITED before such Additional Services are performed by CONSULTANT. No compensation shall be paid to the CONSULTANT for any Additional Services that are not previously approved by UNITED in writing.

D. Reimbursable expenses, if applicable, are in addition to compensation for services outlined in the Scope of Work and Additional Services, and shall be paid to the CONSULTANT in accordance with the guidelines specified on Exhibit "B". Reimbursable expenses are paid at the actual costs, without mark-ups, incurred by the CONSULTANT and the CONSULTANT's employees in conduct of Agreement activities.

## 4. SCHEDULE OF WORK

CONSULTANT shall complete and deliver services and deliverables to UNITED in a diligent and professional manner, in accordance with the Project schedule set forth in Exhibit "A" attached and incorporated by reference herein. Time is of the essence in CONSULTANT's performance of services hereunder.

CONSULTANT's Project Manager shall keep UNITED's **Senior Engineer** or designee informed as to the progress of work by informal reports. Neither party shall hold the other responsible for damages or delay in performance caused by acts of God,

strikes, lockouts, accidents, or other events beyond the reasonable control of the other or the other's employees and agents.

## 5. ASSIGNMENT OF CONTRACT

This Agreement is a professional services contract. CONSULTANT shall not assign this Agreement or any portion of the work without the prior written approval of UNITED. Any such assignment without UNITED's prior written approval shall be void. UNITED may withhold such approval for any reason in its sole discretion.

## 6. INDEMNIFICATION

A. To the fullest extent permitted by law, CONSULTANT agrees to indemnify and hold UNITED entirely harmless from all liability arising out of:

1. Workers' Compensation and Employer's Liability. Any and all claims under Workers' Compensation acts and other employee benefit acts with respect to CONSULTANT's employees or CONSULTANT's subconsultant's employees arising out of CONSULTANT's work under this Agreement; and

2. General Liability. To the extent arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the CONSULTANT, the CONSULTANT shall indemnify, defend and hold UNITED harmless from any liability for damages for (1) death or bodily injury to person; (2) injury to, loss or theft of property; (3) any failure or alleged failure to comply with any provision of law; or (4) any other loss, damage or expense arising under either (1), (2), or (3) above, sustained by the CONSULTANT or UNITED, or any person, firm or corporation employed by the CONSULTANT or UNITED upon or in connection with the Project, except for liability resulting from the sole or active negligence, or willful misconduct of UNITED, its officers, employees, agents, or independent consultants who are directly employed by UNITED. The CONSULTANT, at its own expense, cost, and risk, shall defend any and all claims, actions, suits, or other proceedings (other than professional negligence covered by Section A-3 below) that may be brought or instituted against UNITED, its officers, agents, or employees, to the extent such claims, actions, suits, or other proceedings arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the CONSULTANT, and shall pay or satisfy any judgment that may be rendered against UNITED, its officers, agents, or employees, in any action, suit or other proceedings as a result thereof. Any costs to defend under this Section A-2 shall not exceed the CONSULTANT's proportionate percentage of fault; and

3. Professional Liability. To the extent arising out of, pertaining to, or relating to the negligence, recklessness, or willful misconduct of the CONSULTANT, the CONSULTANT shall indemnify and hold UNITED harmless from any loss, injury to, death of persons, or damage to property caused by any act, neglect, default, or omission of the CONSULTANT, or any person, firm, or

corporation employed by the CONSULTANT, either directly or by independent contract, including all damages due to loss or theft, sustained by any person, firm, or corporation, including UNITED, arising out of, or in any way connected with, the Project, including injury or damage either on or off UNITED property; but not for any loss, injury, death, or damages caused by sole or active negligence, or willful misconduct of UNITED. With regard to the CONSULTANT's obligation to indemnify for acts of professional negligence, such obligation does not include the obligation to provide defense counsel or to pay for the defense of actions or proceedings brought against UNITED, but rather to reimburse UNITED for attorneys' fees and costs incurred by UNITED in defending such actions or proceedings brought against UNITED, and such fees and costs shall not exceed the CONSULTANT's proportionate percentage of fault.

## 7. INSURANCE

A. CONSULTANT shall procure and maintain for the duration of this Agreement, and for injuries which occur and claims which are made after the services herein are provided, insurance policies in accordance with the requirements set forth in Exhibit "C" attached and incorporated by reference herein. CONSULTANT shall also provide UNITED with a certificate of insurance attesting to its professional liability (errors and omissions) coverage and all required additional insured endorsements.

B. Submission of insurance certificates or endorsements or other proof of insurance shall not relieve CONSULTANT from liability under the indemnification provisions of Section 6. CONSULTANT's obligations in accordance with Section 6 shall apply whether or not such insurance policies shall have been determined to apply to any of such claims, damage, lawsuits, losses or liabilities covered by Section 6.

C. By its signature hereto, CONSULTANT certifies that it is aware of the provisions of California Labor Code Section 3700 which requires every employer to be insured against liability for workers compensation' or to undertake self-insurance as specified. CONSULTANT shall comply with these provisions before commencing work under this Agreement.

## 8. TERMINATION OF AGREEMENT

A. Termination for Cause

1. UNITED may terminate CONSULTANT's services for cause, whereupon this Agreement shall terminate immediately. Termination may occur regardless of whether CONSULTANT's services are completed. Any termination or special instructions from UNITED shall be made in writing.

2. Termination for cause may occur upon any of the following events: (a) CONSULTANT's material breach of this Agreement; (b) abandonment or lack of diligence in performance of the work by CONSULTANT; (c) cessation, suspension, revocation or expiration of any license needed by CONSULTANT to provide services hereunder; (d) failure of CONSULTANT to substantially comply with any local, state or federal laws, regulations, ordinances or policies applicable to its work hereunder; (e) filing by or against CONSULTANT of bankruptcy or any petition under any law for relief of debtors; or (f) conviction of CONSULTANT or its principal representative or personnel for any crime other than minor traffic offenses.

3. Subject to the provisions of Section 8.B herein, CONSULTANT shall be paid for all approved services performed and approved expenses incurred to the date of termination for cause supported by documentary evidence, including payroll records and expense reports, up to the date of the termination. In the event of termination for cause, all damages and costs associated with the termination, including increased consultant and replacement consultant costs, shall be deducted from any payments due to CONSULTANT.

4. In the event a termination for cause is determined to have been made wrongfully or without cause, then the termination shall be treated as a termination for convenience in accordance with Section 8.B below, and CONSULTANT shall have no greater rights than it would have had if a termination for convenience had been effected in the first instance. No other loss, cost, damage, expense or liability may be claimed, requested or recovered by CONSULTANT.

B. Termination Without Cause/For Convenience. This Agreement may be terminated without cause by UNITED or for UNITED's convenience upon fourteen (14) days' written notice to the CONSULTANT. In the event of a termination without cause, UNITED shall pay the CONSULTANT for all approved services performed and all approved expenses incurred under this Agreement supported by documentary evidence, including payroll records and expense reports, up until the date of the notice of termination. In addition, CONSULTANT will be reimbursed for reasonable termination costs through the payment of 3% beyond the sum due the CONSULTANT under this section through 50% completion of the CONSULTANT's portion of the Project and, if 50% completion is reached, payment of 3% of the unpaid balance of the contract to CONSULTANT as termination cost. This 3% is agreed to compensate the CONSULTANT for the unpaid profit CONSULTANT would have made under the Project on the date of termination and is consideration for entry into this termination for convenience clause.

C. In the event of termination with or without cause, CONSULTANT shall promptly provide to UNITED all Project Documents as defined in Section 9 below within five (5) calendar days from the effective date of termination. Failure to provide all Project Documents as required shall be deemed a material breach of this Agreement.

D. In the event of a dispute as to the performance of the work or an interpretation of this Agreement, or payment or nonpayment for work performed or not performed, the parties shall attempt to resolve the dispute. Pending resolution of the dispute CONSULTANT agrees to continue the work diligently to completion. If the dispute is not resolved, CONSULTANT agrees it will neither rescind the Agreement nor stop the progress of work, but CONSULTANT's sole remedy will be to submit such controversy to determination by a court having competent jurisdiction of the dispute as required by this Agreement after the Project has been completed and not before.

## 9. PROFESSIONAL SERVICES

A. The CONSULTANT is employed to render a professional service(s) only and any payments made to it are compensation solely for such services as it may render and recommendations it may make in the performance of services.

B. All plans, specifications, construction documents, data, records, files, communications, information, reports and/or other documents that are prepared, generated, reproduced, maintained and/or managed by the CONSULTANT or CONSULTANT's subconsultants arising from or in any way related to the services provided under this Agreement (regardless of medium, format, etc.) shall be and remain the property of UNITED ("Project Documents"). UNITED may provide the CONSULTANT with a written request for the return of the Project Documents at any time. Upon CONSULTANT's receipt of UNITED's written request, CONSULTANT shall return the requested Project Documents to UNITED within five (5) calendar days. CONSULTANT may make copies of the work generated. Failure to comply with any such written request above shall be deemed a material breach of this Agreement. Nothing in this paragraph shall be deemed a waiver of any copyright in the Project Documents prepared by the CONSULTANT. Any unauthorized reuse or modification of such Project Documents other than for purposes intended by CONSULTANT or for the Project shall be at UNITED's risk and liability.

C. CONSULTANT agrees that all dealings of the parties under this Agreement shall be confidential and no Project Documents or information developed, prepared or assembled by CONSULTANT under this Agreement, or any information made available to CONSULTANT by UNITED, shall be revealed, disseminated or made available by CONSULTANT to any person or entity other than UNITED without the prior written consent of UNITED, unless otherwise required by subpoena or applicable law or regulatory authority.

## 10. INDEPENDENT CONTRACTOR RELATIONSHIP

It is expressly understood between the parties that no employee/employer relationship is intended, the relationship of CONSULTANT to UNITED being that of an independent contractor. UNITED shall not be required to make any payroll

deductions or provide Worker's Compensation Insurance coverage or health benefits to CONSULTANT. CONSULTANT is solely responsible for selecting the means, methods and procedures for performing its services hereunder as assigned by the UNITED and for coordinating all portions of the work so the results will be satisfactory to UNITED. CONSULTANT will supply all tools and instruments required to perform its services under this Agreement.

## 11. ASSISTANCE BY UNITED

It is understood and agreed that the UNITED shall, to the extent reasonable and practicable, assist and cooperate with CONSULTANT in the performance of CONSULTANT's services hereunder. Such assistance does not include, in any manner, the exercise of professional judgment for which CONSULTANT is being retained herein. Such assistance and cooperation to be provided by UNITED as applicable includes, but shall not be limited to, providing right of access to work sites; providing material available from the UNITED's files such as maps, as-built drawings, records and operation and maintenance information; and rendering assistance in determining the location of existing facilities and improvements which may be affected by the Project. CONSULTANT shall otherwise be responsible for giving all notices and complying with all applicable laws, ordinances, rules, regulations and lawful orders of any public authority relating to the work.

## 12. ADDITIONAL PROVISIONS

A. Examination of Records

CONSULTANT agrees that UNITED shall have access to and the right to examine at any reasonable time and on reasonable notice CONSULTANT's documents, papers and records, including accounting records, relating to its performance under this Agreement.

B. Notice

All notices or other official correspondence relating to contractual matters between the parties shall be made by depositing the same as first-class, postage paid mail addressed as follows:

To CONSULTANT:
Rich Sanchez
Principal
GEI Consultants Inc.
180 Grand Avenue, Suite 1410
Oakland, CA 94612

To UNITED:
Craig Morgan
Senior Engineer
United Water Conservation District

1701 N. Lombard Street, Suite 200
Oxnard, CA 93030

or such other address as either party may designate hereinafter in writing delivered to the other party. All notices shall be agreed to have been received three (3) days after mailing.

C. No Waiver

No failure or delay by UNITED in asserting any of UNITED's rights and remedies as to any default of CONSULTANT shall operate as a waiver of the default, of any subsequent or other default by CONSULTANT, or of any of UNITED's rights or remedies. No such delay shall deprive UNITED of its right to institute and maintain any actions or proceedings which may be necessary to protect, assert or enforce any rights or remedies arising out of this Agreement or the performance of this Agreement.

D. Integration

This Agreement constitutes the entire agreement between the parties pertaining to the subject matter hereto, and supersedes all prior agreements, oral or written, and all prior or contemporaneous discussions or negotiations between the parties.

E. Modification

No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties.

F. Rules of Interpretation

The terms of this Agreement have been negotiated by the parties and the language used in this Agreement shall be deemed to be the language chosen by the parties to express their mutual intent. This Agreement shall be construed without regard to any presumption or rule requiring construction against the party causing such instrument to be drafted, or in favor of the party receiving a particular benefit under this Agreement. No rule of strict construction shall be applied against any party to this Agreement.

G. Partial Invalidity

If any term, covenant, condition, or provision of this Agreement is found by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions hereof shall remain in full force and effect, and shall in no way be affected, impaired, or invalidated thereby.

H. Incorporation of Recitals and Exhibits

The foregoing recitals and exhibits are incorporated herein as though fully set forth.

I. California Law; Dispute Resolution; Venue

This Agreement shall be interpreted and construed pursuant to the laws of the State of California, regardless of whether this Agreement is executed by any party in another state or otherwise. If a dispute arises between the parties related to this Agreement or the breach thereof, the parties shall first attempt in good faith to settle the matter through discussion, and if unsuccessful may in their discretion mutually agree to mediate the dispute prior to filing a judicial action. The costs of a third-party mediator, if utilized, shall be borne equally by the parties. If either party elects to file an action in court, such action shall be filed and heard in a court of competent jurisdiction in the County of Ventura.

J. Counterparts

This Agreement may be executed in multiple counterparts, a complete set of which shall be deemed to be an original and all of which together shall comprise but a single document. Signatures may be given via facsimile transmission and shall be deemed given as of the date of facsimile transmittal of the executed Agreement by one party to the other.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

UNITED WATER CONSERVATION DISTRICT

By _____
Mauricio E. Guardado Jr., General Manager

GEI Consultants Inc.

By _____

_____

# EXHIBIT "A" TO AGREEMENT FOR

# PROFESSIONAL CONSULTING SERVICES

CONSULTANT shall provide professional land surveying consultation services under this Agreement in accordance with work described in the attached **Scope of Work** and **Schedule of Charges**.

August 25, 2021

Consulting Engineers and Scientists

Mr. Craig Morgan, PE
Senior Engineer
United Water Conservation District
106 North 8th Street
Santa Paula, CA 93060

**Subject:** **Freeman Diversion Fish Passage Facility – Hardened Ramp Option – Revised Scoping of the Supplemental Geotechnical and Geological Exploration Program, Cost Estimate and Work Duration Estimate, Ventura County, California**

Dear Mr. Morgan:

GEI Consultants, Inc. (GEI) has prepared a revised scope, cost, and schedule for a Geotechnical and Geologic Exploration program to inform final design and construction of the Freeman Diversion Fish Passage Facility – Hardened Ramp option at the Freeman Diversion Structure, owned by United Water Conservation District (UWCD).

The basis of the services and associated cost described below is primarily based on the existing design and footprint of the proposed structure and a recent geologic and geotechnical site reconnaissance performed by our team on July 28, 2021. The scope, cost and schedule were prepared by GEI to define the exploration program, assumptions, and level of effort required to inform geotechnical site conditions for final design of the Hardened Ramp option.

## BACKGROUND AND OBJECTIVES

The design configuration of the ramp along with a recommended exploration program are presented in the document titled, Vern Freeman Diversion, Geologic and Geotechnical Evaluation of Proposed Intake Structure, dated February 24, 2020 (February 2020 Report).

The February 2020 Report summarized the geologic and geotechnical evaluation by GEI of the proposed location of the fish ladder intake structure in the left abutment of Freeman Diversion. The February 2020 Report was prepared as a supplemental document to the Draft Preliminary Geotechnical Desktop Study submitted in November 2019 (2019 Geotechnical Desktop Study). The general scope of the evaluation included the following:

- Reviewing existing data and information;
- Perform desktop review of Ventura County 2018 LiDAR;



GEI Consultants, Inc.
99 S. Lake Avenue, Suite 300,
Pasadena, California 91101
818-552-6400

- Field geologic mapping; performing a supplemental geologic and geotechnical assessment of the proposed intake structure (Hardened Ramp and Vertical Slot Alternative) locations; and
- Preparing the report.

The report also provided scoping recommendations for a supplemental subsurface exploration program to the previous geotechnical borings that were drilled at the site by Dames and Moore in 1982 and 1987, and NV5 in 2012 and 2016. Preliminary locations of supplemental explorations, as well as reasoning for the explorations, are included in Appendix B of the February 2020 Report for the Hardened Ramp Alternative and are attached for reference. The report also recommended seismic refraction lines be performed at horizontal and perpendicular transects across the project footprint to assist in the characterization of bedrock contact depth and rippability. Additional recommendations for inclinometer installation to monitor potential slope movement above the footprint of the Hardened Ramp Alternative.

At the request of UWCD, GEI has developed a scope narrative, assumptions, and a cost estimate summary associated with a supplemental exploration program, as described in the sections that follow.

## SCOPE OF SERVICES

We understand the general scope to include geotechnical exploration and preparation of documentation of the field findings in a data and geotechnical evaluation reports. The findings will be utilized to advance the design drawings beyond 30% design and better inform construction contracting and estimating. The focus of the exploration program is to address the Hardened Ramp option. The scope, cost and schedule are developed based on the preliminary exploration plan outlined in GEI's February 2020 Report, attached. Details of each task with assumptions are described below.

### Task 1 Exploration Planning

Task 1, Exploration Planning is currently being performed as part of the Professional Services Agreement between UWCD and GEI, dated July 7, 2021.

### Task 2 Field Exploration

The exploration plan and rationale table for the explorations is based on a preliminary exploration plan from the GEI February 2020 Report. A total of 12 borings (BHR-1 through BHR-12) were originally proposed with depths ranging from 20 to 45 feet below ground surface (bgs). Boring BHR-13 was added to the program and cost estimate; and is proposed to a depth of approximately 165-feet bgs. The location of BHR-13 is within the landslide mass to the south of the proposed structure. The purpose of this deeper boring is to characterize the landslide failure plane depth and install an inclinometer in the landslide mass for monitoring purposes. Additionally, boring BHR-7 along the proposed structure will be extended to a depth of 100 feet bgs to collect a site-specific $Vs_{30}$ value. This boring may be adjusted based on the anticipated depth to bedrock. We have assumed two of the borings will be converted to open standpipe piezometers at a depth of 20 feet bgs.

We have included a seismic refraction survey up to 1,500 lineal feet. The purpose of the survey will be to identify top of rock and the rippability of the bedrock. We have also included two-days of test pitting of 6 test pits up to 12 feet bgs. The revised exploration plan with the borings, test pits and seismic refraction

lines described above and a rationale table for the boring locations is included as an attachment to this scope of services.

Generally, drilling techniques will include augering in the overburden (alluvium) until refusal or if groundwater is encountered. Upon reaching groundwater, refusal, or bedrock, we will switch over to mud rotary technique. Sampling interval in the overburden will vary between 2-to-5-feet using SPT or Mod Cal samplers. Depending on the characteristics of the bedrock, either drive samples, or HQ-size rock coring will be conducted.

Assumptions: We have assumed the following for conducting the field exploration in the cost and schedule estimates.

- Drilling to depths discussed above, shown in the attached rationale table.
- A limited access track mount rig will be used.
- The estimated field project duration will be up to 15 days.
- Boring locations within the Santa Clara riverbed will be backfilled with sand and capped with native soil.
- Boring locations outside the Santa Clara riverbed will be backfilled with cement-bentonite grout and capped to grade.
- Drilling will occur during normal working hours generally between 7 AM and 7 PM, typically during a 10-hour shift. The exact duration and length of a working day will depend on a variety of factors. We assume there are not special site limitations for when the work can be performed. The actual duration and associated costs of the field exploration program will be based on field conditions encountered and any permitting agency requirements as the program is conducted.
- Drilling fluids and soil cuttings can be stored in tanks, drums, or bins and stored in a secure area on site until the end of exploration activities. The tanks/drums/bins can be stored on the Project site for several days prior to off-site disposal.
- Soil cuttings will be classified as non-hazardous materials for disposal. Additional fees will be required if the soil cuttings are tested to be hazardous and require special handling and disposal at special facilities.
- Access to and from the riverbed locations are assumed to be up to 4 hours per day.
- Any environmental permits will be procured by UWCD. It is assumed no extra-ordinary environmental procedures or training are required at the site than are standard best management practices (BMP's).
- Environmental permits will allow for low ground pressure track equipment to be used in lieu of equipment mats to access the exploration locations.
- Ventura County boring/well permits will be required and will be obtained by GEI with assistance from the District.
- The test pits will not be entered at depths greater than 5-feet, or as deemed safe by the Competent Person (as defined by OSHA). For example, no shoring will be used in the test pitting activities.
- We assume there will be a source of water for drilling on-site or nearby.

- We have assumed that baseline readings for the piezometers and inclinometer will be taken after completing installation construction. Additional readings will be conducted by UWCD.
- Our field services, including subcontractors, are subject to prevailing wage.

### Task 3 Laboratory Testing

Following completion of the subsurface exploration and any necessary sample inspection, recovered soil samples will be selected for laboratory testing. Geotechnical laboratory testing will be performed to aid in classification, confirm previous characterization, and develop engineering parameters needed for the Project. Laboratory tests will be performed on selected soil samples from the exploratory borings and bulk samples for the test pits.

Laboratory tests may include material classification tests (grain size tests, plasticity tests, moisture content, and unit weight); laboratory compaction characteristic tests; triaxial or direct shear strength tests; and unconfined compressive strengths in rock. All laboratory testing will be performed according to ASTM standards.

Assumptions: We have assumed an estimated budget amount that is based on parametrics from similar geotechnical explorations, laboratory rates, and a minimal amount of GEI labor to facilitate the laboratory testing.

### Task 4 Geotechnical Data Report

A Geotechnical Data Report (GDR) will be prepared to summarize the review and analysis of existing data, the field exploration, the results of the laboratory testing program, and the encountered subsurface conditions. The GDR will include boring, test pit logs, boring data summaries, field, and laboratory test data, limited geologic profiles and cross-sections, and selected photographs. Pertinent data from previous studies will be included as appendices. The GDR will first be submitted as a draft to UWCD for review and comment. UWCD's comments will be incorporated into the GDR.

Assumptions: We have assumed there will be one consolidated round of comments for the draft report. We have also assumed that a digital copy will be provided for the draft, and two hard copies and a digital copy will be provided to UWCD for the final.

### Task 5 Geotechnical Analyses and Preparation of a Geotechnical Evaluation Report

GEI will update the subsurface characterization for the site, geotechnical design criteria and seismic and geotechnical analysis based on the supplemental exploration program. GEI will evaluate the field and laboratory data compiled and reported in Tasks 2 through 4 to develop design recommendations and construction considerations to be used by the civil and structural design team in preparation of the final design. GEI will incorporate these design recommendations and construction considerations into a Geotechnical Evaluation Report (GER) addressing the following:

- Evaluation of the materials suitability as excavated and whether or not the materials could be used as backfill.
- Preparation or stabilization measures for foundations or trench subgrades.
- Temporary and permanent grading recommendations.

- Recommendations for stable slope inclinations excavations and other cut and fill grading associated with the Project.
- Rippability and excavatability of foundation subgrades and excavations in rock materials.
- Discussion of groundwater, including elevations and applicable dewatering methods, excluding dewatering system design.
- Uplift considerations for below grade structures and recommendations for foundation cutoff wall depths, if necessary.
- Discussion of the seismicity in the area of the project and the magnitude and impact of ground shaking at the site.
- Liquefaction potential and potential for seismic settlements at the site.
- Further evaluation of geotechnical feasibility and design recommendations for foundation alternatives such as RCC embankments, secant or soldier piles or rock socketed drilled shafts extending into bedrock.
- Geotechnical considerations and design parameters and design recommendations for temporary cofferdam and underpinning (or ground improvement), if necessary, for the adjacent existing structure.
- Geotechnical design parameters will also be provided to evaluate the overall structural stability of the structures and the new ramp.
- Allowable bearing, active, and passive pressures for permanent structures and below grade walls under dry and saturated conditions.

Assumptions: We have assumed there will be one consolidated round of comments for the draft report. We have also assumed that a digital copy will be provided for the draft, and two hard copies and a digital copy will be provided to UWCD for the final.

### Task 6 Project Management and Meetings

This task will include project management activities such as coordination and updating project status with UWCD staff, documentation of key meetings, and updating of budgets and schedule for the anticipated duration of the project.

Assumptions: We have assumed there will be eight 1-hour meetings that include three GEI staff during the duration of the project.

## ESTIMATED BUDGET AND SCHEDULE

The estimated cost of the design level geologic and geotechnical exploration and reporting program is summarized in Table 1 below and a breakdown of cost is attached. The scope for Task 1, Exploration Planning, has already been approved in a previous task order for a budget of $25,000. The revised scope and budget attached includes the remaining tasks (Task 2 through 6) necessary to complete the geotechnical geologic exploration program and reporting.

Based on the scope described in Tasks 2 through 6 above, the estimated planning level budget for this task order is $499,700. This budget includes a contingency of $41,400 based on 15 percent of the total geotechnical exploration (Task 2) budget. This contingency was added to account for unforeseen considerations beyond UWCD's and GEI's Control (i.e., weather delays, permit restrictions or challenging subsurface conditions) that could lengthen the duration or material costs associated with drilling exploration program estimated by GEI for this task.

We have provided a schedule duration for each task within Table 1 that would start based on receipt of notice to proceed (NTP). Some borings will have site access limitations due to seasonal flow in the Santa Clara River. It should also be noted, provided the difficulties created by the ongoing COVID-19 concerns, the performance of the services included in this proposal as well as the satisfaction of the schedule described herein, are contingent and conditioned upon GEI having the ability to deploy the required resources as well as having access to the required site and data/documents to complete the services. These resources include, but are not limited to GEI staff, subcontract vendors and materials providers. GEI will immediately notify UWCD in the event it becomes aware that services will be interrupted or otherwise delayed as discussed herein.

We understand that an expedient schedule is paramount for the success of this project. GEI will work to meet the demands of the project schedule to every degree possible.

**TABLE 1 – PROPOSED PROJECT SCHEDULE (Remaining Exploration and Reporting Tasks).**

| Activity | Task Duration | Cost |
|---|---|---|
| Task 2 Field Exploration | 4-weeks | $317,400 (includes subconsultants, travel & ODCs and field contingency) |
| Task 3 Laboratory Testing | 6-weeks | $33,500 |
| Task 4 Geotechnical Data Report | Completed in Parallel with Task 3, 8 weeks after completion of the Task 2 Field Exploration program | $46,700 |
| Task 5 Geotechnical Analyses and Preparation of a Geotechnical Evaluation Report | 4 Weeks Following Completion of Acceptance of Final Geotechnical Data Report | $83,500 |
| Task 6 Project Management and Meetings | Throughout Project | $18,600 |
| Total Duration From NTP: 5 Months | | Total Cost: $499,700 |

## CLOSING

GEI is very interested and looking forward to assisting UWCD with completion of the remainder of the Geotechnical and Geological Exploration Program. Please contact Rich Sanchez or Lorena Manriquez if you have any questions or comments. Mr. Sanchez can be reached at 916.631.4579; rsanchez@geiconsultants.com or Ms. Manriquez at 818.552.6406; lmanriquez@geiconsultants.com.

Sincerely,

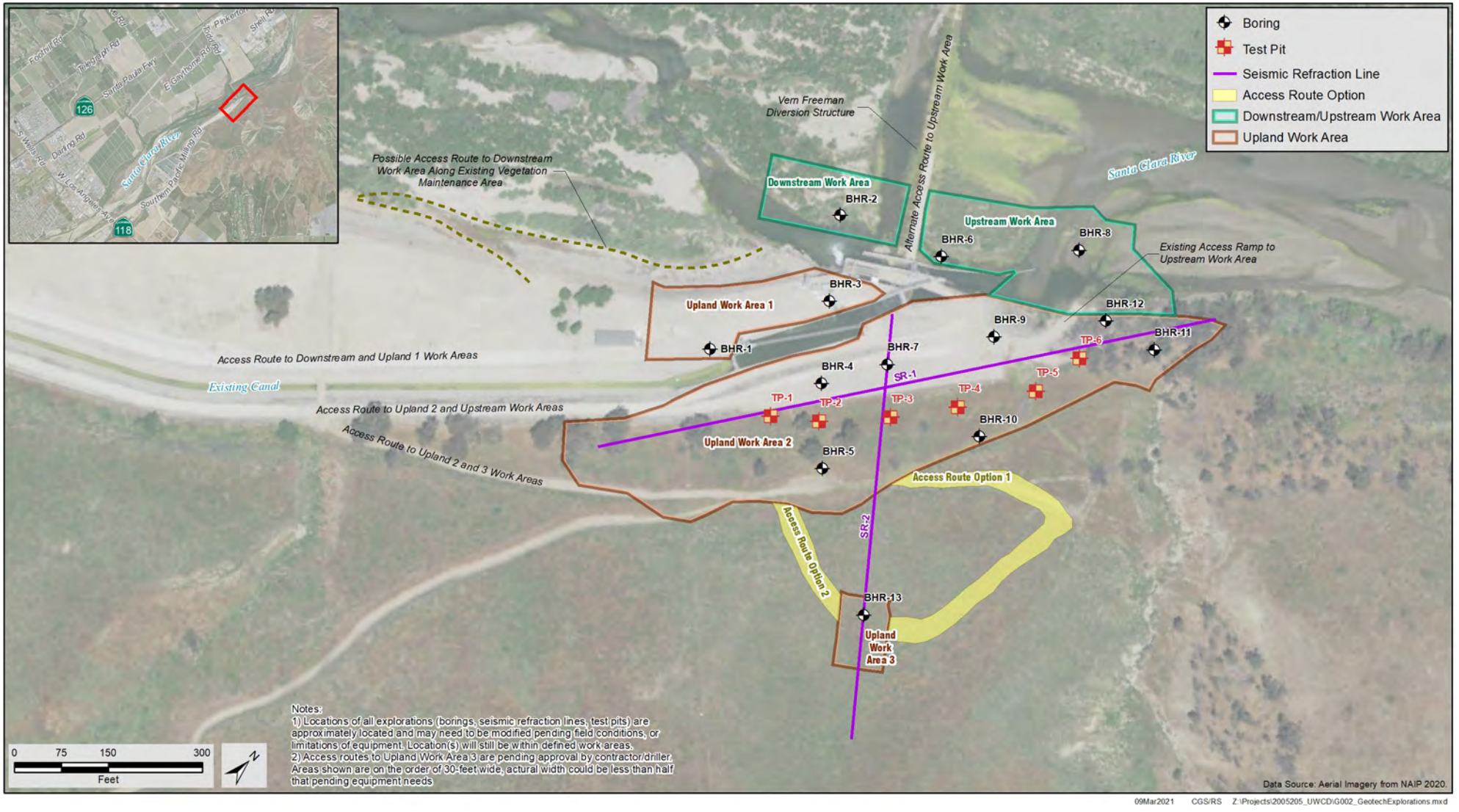
**GEI Consultants, Inc.**

Lorena Manriquez, PE
Project Manager

Richard Sanchez, PE
Principal In Charge

Attachments:

- Exploration Plan
- Rationale Table for the Hardened Ramp Alternative
- Breakdown of Cost




23May2019 J:\Vern Freeman Diversion Dam\1901847_1.5_Geologic Map Illustrator Figures\Figure 3 - Geo Map - Tan2004.ai SMS

| | | | |
|---|---|---|---|
| | Geotechnical Exploration Work Plan<br>Freeman Diversion Hardened Ramp Alternative<br>Santa Paula, California | GEI Consultants | EXPLORATION PLAN |
| | United Water Conservation District | | AUGUST 2021 FIGURE 1 |

**Exploration and Testing Rationale Table - Hardened Ramp Fish Passage Option**

| Exploration ID | Approximate Ground Surface Elevation (ft) | Estimated Bedrock Elevation | Anticipated Depth (ft.) | Purpose |
|---|---|---|---|---|
| BHR-1 | 165 | 145 | 35 to 40 | Characterize foundation conditions in transition to existing canal. Characterize terrace deposit properties and thickness where shallow foundations and tie-ins may be used for these facilities. Drill to bedrock contact. |
| BHR-2 | 140 | 125 | 20 to 25 | Characterize foundation conditions for the hardened ramp. Drill to El. 120, approximately 5 feet below the base o the foundation for the new RCC structure beneath the hardened ramp at El. 125 +/- to confirm competent rock horizon. |
| BHR-3 | 162 | 135 | 25 to 30 | Characterize subsurface conditions for 24-inch Fish Return Pipe and Monitoring Vaults and other shallow wall structures. Characterize terrace deposit properties and thickness where shallow foundations may be used for these facilities. Drill to bedrock contact. |
| BHR-4 | 172 | 145 | 30 to 35 | Characterize foundation conditions for the Screenbay Outlet Channel foundations and RCC support. Drill to leas 5 feet below the base of the RCC foundation at El. 145 +/- to confirm competent rock horizon. |
| BHR-5 | 210 | 185 | 40 to 45 | Boring drilled on access road above proposed footprint of Hardened Ramp Structure to characterize landslide material properties and thickness in the upslope vicinity of the facilities, and foundation conditions if slope debris perimeter retaining walls should be necessary. Also provide information regarding cut slope grading at periphery of the facility. Drill to min. 15' below bedrock contact. |
| BHR-6 | 161 | 130 | 20 to 25 | Characterize foundation conditions for the Hardened Ramp. Drill to El. 125 approximately 5 feet below the base of the foundation for the new RCC structure beneath the hardened ramp at El. 130 +/- to confirm competent rock horizon. Also characterize thickness of and properties of Terrace Deposits for shallow footing foundations above bedrock. |
| BHR-7* | 172 | 145 | 100* | Characterize foundation conditions for the Screen Bay Outlet Channel foundations and RCC support. Drill to least 5 feet below the base of the RCC foundation at El. 145 +/- to confirm competent rock horizon. |
| BHR-8 | 157 | 125-130 | 35 to 40 | Characterize foundation conditions for the hardened ramp, footing support for Bridge Structure and Entrance Apron. Drill to El. 120, approximately 5 feet below the base of the foundation for the new RCC structure beneath the hardened ramp at El.125- 130 +/- to confirm competent rock horizon. Also characterize thickness of and properties of Terrace Deposits for shallow footing foundations above bedrock. |
| BHR-9 | 175 | 145 | 35 to 40 | Characterize foundation conditions for the Screen Bay Outlet Channel foundations and RCC support. Drill toleast 5 feet below the base of the RCC foundation at El. 145 +/- to confirm competent rock horizon. |
| BHR-10 | 205 | 185 | 35 to 40 | Boring drilled on access road above proposed footprint of Hardened Ramp Structure to characterize landslide material properties and thickness in the upslope vicinity of the facilities, and foundation conditions if slope debris perimeter retaining walls should be necessary. Also provide information regarding cut slope grading at periphery of the facility. Drill to min. 15' below bedrock contact. |
| BHR-11 | 180 | 140 | 40 to 45 | Boring drilled on access road above proposed footprint of Hardened Ramp Structure to characterize terrace deposit properties and thickness where shallow foundations and tie-ins may be used for perimeter retaining wall Drill to min 5' below bedrock contact. |
| BHR-12 | 165 | 135 | 30 to 35 | Characterize foundation conditions for approach channel and trash rack. Approach Channel Min El. is about 150, but assume it may need to be founded on bedrock, drill to the top of the bedrock contact, assumed to be around El. 135. |
| BHR-13 | 306 | 185 - 255 | **165** | Characterize the landslide failure plane depth and install an inclinometer in the landslide mass for monitoring purposes. |

***Note: * - Boring for Vs30 survey may be adjusted based on the anticipated bedrock depth inferred from the seismic refraction profile data.***

**Geotechnical Exploration**
**Breakdown of Cost**

| Task No. | Description | GR 8 | | GR 8 | | GR 7 | | GR 6 | | GR 5 | | Admin | | GEI | GEI | | Sub Contractors | | | | | | | | | Total Costs |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Client Manager | | Senior Review | | Task Order Manager - Report Reviewer | | Senior Analyst Review/ Senior Geologist | | Field Engineer and Data Report Preparation | | Memorandum Preparation | | ODCs | Subtotal | | Permits | Seismic Refraction | inclinometer, misc | Test Borings | Test Pits | Geotech Lab Testing | P&S wave Vs30 | Subs Total (Including 15 percent markup) | |
| | | Hrs | $297 | Hrs | $297 | Hrs | $265 | Hrs. | $223 | Hrs | $196 | Hrs | $110 | | Hrs. | $154 | | | | | | | | | |
| 1 | **Exploration Planning** | | | | | | | | | | | | | | | | | | | | | | | | See Note 1 |
| | **Subtotal Task 1** | | | | | | | | | | | | | | | | | | | | | | | | - |
| 2 | **Field Exploration** | | | | | | | | | | | | | | | | | | | | | | | | |
| 2.1 | Ventura County permits | | | | | | | 4 | $892 | | | | | | 4 | $892 | $2,200 | | | | | | | $2,530 | $3,422 |
| 2.2 | Standpipe Piezometer (Measurements and Reporting) | | | | | | | 16 | $3,568 | | | | | $300 | 16 | $3,868 | | | | | | | | | $3,868 |
| 2.3 | Inclinometer ( Readings and Reporting) | | | | | | | 16 | $3,568 | | | | | $300 | 16 | $3,868 | | | | | | | | | $3,868 |
| 2.4 | Inclinometer Installation (1 total to 160 feet, assume 3 days, 10 hour days, plus 6 hour RT, GR 5 in field ) | 1 | $297 | | | 2 | $530 | 8 | $1,784 | 46 | $9,016 | | | $1,191 | 57 | $12,818 | | | $6,000 | | | | | $6,900 | $19,718 |
| 2.5 | Test Borings (12 total [one deep for vs 30], assume 1.5 borings per day [round up to 14 days], 10 hour days, 6 hour RT @ 4 RT GR 5 in field , 430 LF total) | 1 | $297 | | | 2 | $530 | 8 | $1,784 | 190 | $37,240 | | | $3,370 | 201 | $43,221 | | | | $137,000 | | | $7,000 | $165,600 | $208,821 |
| 2.6 | Test Pits (2 days, 10-hour days, 6 hr RT @ 1 RT, GR 6 in field to log) | 1 | | | | 2 | $530 | 26 | $5,798 | | | | | $944 | 29 | $7,272 | | | | | $4,000 | | | $4,600 | $11,872 |
| 2.7 | Seismic Refraction Surveys (1,500 feet, assume 2 days, 10 hour days, GR5 in field) | 1 | | | | 2 | $530 | | | 20 | $3,920 | | | $944 | 23 | $5,394 | | $16,570 | | | | | | $19,056 | $24,450 |
| | **Subtotal Task 2** | 4 | $594 | | | 8 | $2,120 | 58 | $12,934 | 256 | $50,176 | | | $7,049 | 346 | $77,333 | $2,200 | $16,570 | $6,000 | $137,000 | $4,000 | | $7,000 | $198,686 | **$276,019** |
| 3 | **Laboratory Testing** | | | | | | | | | | | | | | | | | | | | | | | | |
| 3.1 | Geotechnical Laboratory Testing (See Lab Test Schedule) | 1 | $297 | | | 8 | $2,120 | 12 | $2,676 | 16 | $3,136 | | | | 37 | $8,229 | | | | | | $22,000 | | $25,300 | $33,529 |
| | **Subtotal Task 3** | 1 | $297 | | | 8 | $2,120 | 12 | $2,676 | 16 | $3,136 | | | | 37 | $8,229 | | | | | | $22,000 | | $25,300 | **$33,529** |
| 4 | **Geotechnical Data Report** | | | | | | | | | | | | | | | | | | | | | | | | |
| 4.1 | gINT Boring Logs and Digitize Test Pit Logs, review seismic refraction survey report | | | | | 8 | $2,120 | 20 | $4,460 | 48 | $9,408 | 12 | $1,320 | | 88 | $17,308 | | | | | | | | | $17,308 |
| 4.2 | Draft GDR | 4 | $1,188 | 8 | $2,376 | 20 | $5,300 | 24 | $5,352 | 40 | $7,840 | 4 | $440 | | 100 | $22,496 | | | | | | | | | $22,496 |
| 4.4 | Final GDR (Respond to Comments) | 2 | $594 | 4 | $1,188 | 6 | $1,590 | 8 | | 16 | $3,136 | 2 | $220 | $200 | 38 | $6,928 | | | | | | | | | $6,928 |
| | **Subtotal Task 4** | 6 | $1,782 | 12 | $3,564 | 34 | $9,010 | 52 | $9,812 | 104 | $20,384 | 18 | $1,980 | $200 | 226 | $46,732 | | | | | | | | | **$46,732** |
| 5 | **GER Preparation** | | | | | | | | | | | | | | | | | | | | | | | | |
| 5.1 | Develop Design Recommendations, associated analyses/ calculations | | | | | 16 | $4,240 | 40 | $8,920 | 80 | $15,680 | | | $200 | 136 | $29,040 | | | | | | | | | $29,040 |
| 5.2 | Prepare GER | 8 | $2,376 | 16 | $4,752 | 32 | $8,480 | 40 | $8,920 | 60 | $11,760 | 8 | $880 | $200 | 164 | $37,368 | | | | | | | | | $37,368 |
| 5.3 | Respond to Comments to Finalize Draft GER | 2 | $594 | 8 | $2,376 | 16 | $4,240 | 16 | $3,568 | 32 | $6,272 | | | | 74 | $17,050 | | | | | | | | | $17,050 |
| | **Subtotal Task 5** | 10 | $2,970 | 24 | $7,128 | 64 | $16,960 | 96 | $21,408 | 172 | $33,712 | 8 | $880 | $400 | 374 | $83,458 | | | | | | | | | **$83,458** |
| 6 | **Project Management and Meetings** | | | | | | | | | | | | | | | | | | | | | | | | |
| 6.1 | Project Management and Meetings | 16 | $4,752 | | | 32 | $8,480 | 24 | $5,352 | | | | | | 72 | $18,584 | | | | | | | | | $18,584 |
| | **Subtotal Task 6** | 16 | $4,752 | | | 32 | $8,480 | 24 | $5,352 | | | | | | 72 | $18,584 | | | | | | | | | **$18,584** |
| | **Subtotal Tasks 2 through 6** | **37** | **$ 10,395** | **36** | **$ 10,692** | **146** | **$ 38,690** | **242** | **$ 52,182** | **548** | **$107,408** | **26** | **$ 2,860** | **$ 7,649** | **1055** | **$ 234,336** | **$ 2,200** | **$ 16,570** | **$ 6,000** | **$ 137,000** | **$ 4,000** | **$ 22,000** | **$ 7,000** | **$ 223,986** | **$ 458,322** |
| | **15 percent Contingency for Task 2** | | | | | | | | | | | | | | | | | | | | | | | | **$ 41,403** |
| | **Total for Task Order** | | | | | | | | | | | | | | | | | | | | | | | | **$ 499,724** |

**Notes**

1) Exploration planning and site reconnaissance,
Workplan development and coordination with subconsultants was authorized under a separate task order and budget.

# EXHIBIT "B" TO AGREEMENT FOR

# PROFESSIONAL CONSULTING SERVICES

CONSULTANT shall adhere to the following **Guidelines for Expense Reimbursement**:

Incidental expenditures incurred by CONSULTANT in the course of performing work under this Agreement and submitted for reimbursement by UNITED shall comply with the following guidelines.

Receipts are required for all reimbursable expenses (with an exception for meals and lodging) and shall be furnished with the invoice. Reimbursable expenditures shall not be subject to mark-up. Only actual costs of expenditures within the limits presented below are eligible for reimbursement.

## 1. Reimbursable Expenditures

### A. Travel Expenses

Expenses for airfare or other travel accommodations shall not exceed costs that would reasonably be expected for comparable economy or coach class accommodations.

Personal vehicles may be used when appropriate and mileage will be reimbursed at the standard Internal Revenue Service (IRS) business mileage rate (i.e., 56 cents per mile for calendar year 2021, but for a total cost no greater than the cost that would reasonably be expected for round trip economy or coach class airfare. With the exception of extenuating circumstances (e.g. transport of specialized equipment), mileage for any trip over 500 miles shall be reimbursed at a total cost no greater than would reasonably be expected for round trip economy or coach class airfare. Extenuating circumstances shall be pre-approved by UNITED.

Rental vehicle costs are reimbursable when justified by the nature of the trip. With the exception of extenuating circumstances (e.g. transport of more than 4 people or excessive cargo) the total expense for the rental vehicle shall not exceed a cost that would reasonably be expected for a standard class vehicle. Insurance for rental vehicles is not reimbursable and must be in accordance with all insurance requirements set forth in this Agreement.

### B. Lodging

The cost of lodging incurred on approved CONSULTANT business trips is reimbursable. UNITED will reimburse lodging at the standard U.S. General Services Administration (GSA) rate for Ventura County (i.e., $182.00 per night [excluding

taxes] for the months of October 2020 and January – September 2021). GSA rates are annually updated in October.

C. Meals

The cost of meals incurred on approved CONSULTANT Projects is reimbursable.

If UNITED is reimbursing the CONSULTANT for lodging, UNITED will reimburse for meals at the appropriate standard GSA rate for Ventura County (i.e., $49.50 (or 75% of a daily rate) per day for first and last calendar day of PROJECT work, and $66.00 per day for additional PROJECT work days for calendar year 2021.

If UNITED is not reimbursing the CONSULTANT for lodging, UNITED will not reimburse the CONSULTANT for meals.

D. Equipment

All reimbursable equipment must be purchased or rented at a reasonable cost, in accordance with industry standards.

E. Expendable Items

Items that are expendable (depleted) will not be returned to UNITED, as the items will be "used up" in the course of CONSULTANT's work.

F. Non-Expendable Items

Items that are non-expendable (not depleted) will be returned to UNITED upon completion of CONSULTANT's work.

# EXHIBIT "C" TO AGREEMENT FOR

# PROFESSIONAL CONSULTING SERVICES

CONSULTANT shall procure and maintain for the duration of the Agreement, and for injuries that occur and claims which are made after the services herein are performed, insurance against claims or injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by CONSULTANT, its agents, representatives, or employees.

*Minimum Scope of Insurance*

Coverage shall be at least as broad as:

1. Insurance Services Office Commercial General Liability coverage (occurrence Form CG 00 01 or its equivalent).

2. Insurance Services Office Form Number CA 00 01 covering Automobile Liability, Code 1 or its equivalent (any auto).

3. Workers' Compensation insurance as required by the State of California and Employer's Liability Insurance.

4. Errors & Omissions Liability insurance appropriate to the CONSULTANT's profession. Architects' and engineers' coverage is to be endorsed to include contractual liability.

5. Valuable Document Insurance on all plans, specifications and other documents as may be required to protect UNITED in the amount of its full equity in such plans, specifications and other documents.

*Minimum Limits of Insurance*

CONSULTANT shall maintain limits no less than:

| | | |
|---|---|---|
| 1. | General Liability:<br>Including operations, products and completed operations, as applicable. | **$1,000,000** per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. |
| 2. | Automobile Liability: | **$1,000,000** per accident for bodily injury and property damage. |

| | | |
|---|---|---|
| 3. | Employer's Liability: | **$1,000,000** per accident for bodily injury or disease. |
| 4. | Errors & Omissions Liability: | **$1,000,000** per claim. |
| 5. | Valuable Document Insurance | **Full Equity of all Documents** |

*Deductibles and Self-Insured Retentions*

Any deductibles or self-insured retentions must be declared to and approved by UNITED. At the option of UNITED, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects UNITED, its directors, officers, officials, employees and agents; or CONSULTANT shall provide a financial guarantee satisfactory to UNITED guaranteeing payment of losses and related investigations, claim administration and defense expenses.

*Other Insurance Provisions*

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

6. For all policies required by this Agreement, UNITED and its directors, officers, officials, employees and volunteers are to be covered as additional named insureds as respects: liability arising out of work or operations performed by or on behalf of the CONSULTANT; or automobiles owned, leased, hired or borrowed by the CONSULTANT.

7. For any claims related to this Project, the CONSULTANT's insurance coverage shall be primary insurance as respects UNITED and its directors, officers, officials, employees and agents. Any insurance or self-insurance maintained by UNITED, its directors, officers, officials, employees or agents shall be excess of the CONSULTANT's insurance and shall not contribute with it.

8. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days prior written notice has been provided to UNITED (with the exception of ten (10) days for nonpayment of premium).

If General Liability, Contractors Pollution Liability and/or Asbestos Pollution Liability and/or Errors & Omissions coverages are written on a claims-made form:

9. The retroactive date must be shown, and must be before the date of the contract or the beginning of contract work.

10. Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work.

11. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a retroactive date prior to the contract effective date, the CONSULTANT must purchase an extended period coverage for a minimum of five (5) years after completion of contract work.

12. A copy of the claims reporting requirements must be submitted to UNITED for review.

13. If the services involve lead-based paint or asbestos identification/ remediation, the Contractors Pollution Liability shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/ remediation, the Contractors Pollution Liability shall not contain a mold exclusion and the definition of "Pollution" shall include microbial matter including mold.

*Acceptability of Insurers*

Insurance is to be placed with insurers qualified to do business in the State of California with a current A.M. Best's rating of no less than A: VII, unless otherwise acceptable to UNITED. Exception may be made for the State Compensation Insurance Fund when not specifically rated.

*Verification of Coverage*

CONSULTANT shall furnish UNITED with original certificates and amendatory/ additional insured endorsements effecting coverage required by this clause. The endorsements should be on forms provided by UNITED or on other than UNITED's forms provided those endorsements conform to UNITED requirements. All certificates and endorsements are to be received and approved by UNITED before work commences. However, failure to do so shall not operate as a waiver of these insurance requirements. UNITED reserves the right to require complete, certified copies of all required insurance policies, including endorsements effecting the coverage required by these specifications at any time.

*Waiver of Subrogation*

CONSULTANT hereby agrees to waive subrogation, which any insurer of contractor may acquire from vendor by virtue of the payment of any loss. CONSULTANT agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the entity for all work performed by the CONSULTANT, its employees, agents and subcontractors.

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Maryam Bral, Chief Engineer
Brian Collins, Chief Operations Officer
Joseph Jereb, Chief Financial Officer

**Date:** August 23, 2021 (September 2, 2021 Committee Meeting)

**Agenda Item:** **4.3 Authorize Execution of an Agreement with California American Water to Establish an Emergency Use Interconnection to the Oxnard Hueneme Pipeline for providing additional System Reliability to the El Rio Service Area.**
**Motion**

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**Staff Recommendation:**
The Board will consider authorizing the General Manager to execute an agreement with California American Water to establish an emergency use interconnection to the Oxnard Hueneme Pipeline for providing additional System Reliability to the El Rio Service Area.

**Introduction:**
United Water Conservation District (District) provided an emergency water connection to the Vineyard Avenue Acres Mutual Water Company (VAAMWC) in May 2019 per the State Water Resources Control Board's (Water Board) request when the water samples of the VAAMWC's water supply system showed nitrate concentrations above the primary drinking water standard of 10 mg/ L (Nitrate-N). Since 2019, the Water Board, the Division of Drinking Water (DDW) has directed VAAMWC and other small water companies in the El Rio area to establish a reliable emergency backup supply to support their existing supply system.

**Background:**
In response to the DDW requirements for additional system reliability included in an enforcement letter to the mutuals, CalAm, Cloverdale Mutual Water Company (CMWC) and DDW met with the District on August 5, 2021 to discuss interconnection options to the OH Pipeline. CalAm recently acquired Rio Plaza and is interested to provide additional system reliability to the Rio Plaza. CMWC and VAAMWC have been discussing a merger and CMWC is interested to establish an emergency use interconnection to the OH Pipeline to meet the DDW requirements for additional supply system reliability on behalf of both mutuals.

Prior to the August 5 meeting, Staff identified two available turnouts off the OH Pipeline that could potentially serve as the backup interconnections. The 8-in turnout off the OH pipeline at the

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intersection of Simon Way and North Rose Avenue (Simon Way Turnout) does not serve any of the existing customers. The 8-in turnout at the intersection of E. Collins Road and North Rose Avenue (E. Collins Rd Turnout) has a blind flange and does not serve any of the existing customers. The OH System has sufficient capacity to supply potable water to CalAm and the mutual water companies during emergencies.

CalAm agreed to install the emergency use interconnection to the Simon Way Turnout to supply potable water to the Rio Plaza and the second emergency use interconnection to the E. Collins Road Turnout on behalf of CMWC and VAAMWC for future emergency use once a separate agreement between the mutuals and the District is established. CalAm agreed to obtain the local and state permits and a permit amendment from DDW for the Rio Plaza. CalAm and CMWC and DDW acknowledged that the emergency use of OH Pipeline supply would be provided during emergency conditions and is limited to 15 days per year or five consecutive days of use per year. It should be note that a partial use or an entire day use of water is counted as one day use.

**Discussion:**
CalAm submitted a letter to the District requesting for the District's Board of Directors approval for a new emergency use interconnection to the OH Pipeline to support the Rio Plaza (Attachment A). CalAm is planning to construct the two interconnections during one shutdown to meet the District's request for minimizing the interruption to operation of the OH Pipeline (Attachment B). CalAm is planning to prepare and enter into an agreement with the District for the interconnection to the Simon Way Turnout. CalAm will install a new valve and a lateral from the transmission main across North Rose Avenue to the location of the above ground interconnection within street right of way. Additionally, CalAm will install a new gate valve and blind flange to the existing tee connection located at the E. Collins Road Turnout. CalAm will minimize the duration of the shutdown and the impact on the OH Pipeline operation.

**Mission Goal:**
Meets Mission-Related Goal B, System Reliability – Ensure that the District's existing and planned water supply, conveyance, and recharge systems meet regional needs, including emergency response and Goal E1., Build and strengthen partnerships and coalitions with all stakeholders.

**Fiscal Impact:**
The Interconnection Project will not have any fiscal impact on the District. No additional funding is requested.

**Attachments:**
Attachment A – August 20 Letter Regarding California American Water Request for Board Approval of new Interconnection with United Water for the El Rio Service Area (Rio Plaza)

Attachment B – Proposed Emergency Use Interconnections to the Oxnard Hueneme Pipeline

CALIFORNIA AMERICAN WATER

August 20, 2021

Mr. Brian Collins
Chief Operations Officer
United Water Conservation District
3561 North Rose Avenue
Oxnard, CA 93063

**Re: California American Water Request for Board Approval of new Interconnection with United Water for the El Rio Service Area (Rio Plaza)**

Dear Mr. Collins,

The below letter is a follow up to the ongoing conversations between California American Water and United Water regarding a request for an interconnection as a way to provide additional system reliability to the recently acquired El Rio system. California American Water is requesting United Water Conservation District to present the recommendation for an interconnection with United Water before the September Board meeting for approval.

The proposed interconnection will include one shut down of the line for installation of two new valves and blind flanges allowing for future connections without any further shut downs of the water main. California American Water will prepare an agreement with United Water for one of the proposed interconnections, develop design plans for the interconnect, and construct the interconnection to United Water. The location of this interconnect would be at the intersection of Simon Way and North Rose Avenue. From the existing water main tee, California American Water will install a new valve and extend water main across North Rose Avenue to the location of the above ground interconnection within street right of way. Additionally California American Water will also install a new gate valve and blind flange to the existing tee located at East Collins Street and North Rose Avenue all as part of the proposed interconnection project ("project").

California American Water understands that the project will require a shutdown of the transmission Main in North Rose Avenue and will minimize the length of this shut down and any impacts this has. California American Water appreciates the opportunity to work with United Water on this water improvement project. Please acknowledge your acceptance of this letter and proposal by countersigning a copy of this letter in the space below and returning the countersigned copy to me.

If you need additional information or have any questions, please contact me at 626-532-6407 or via email at mark.reifer@amwater.com.

Sincerely,

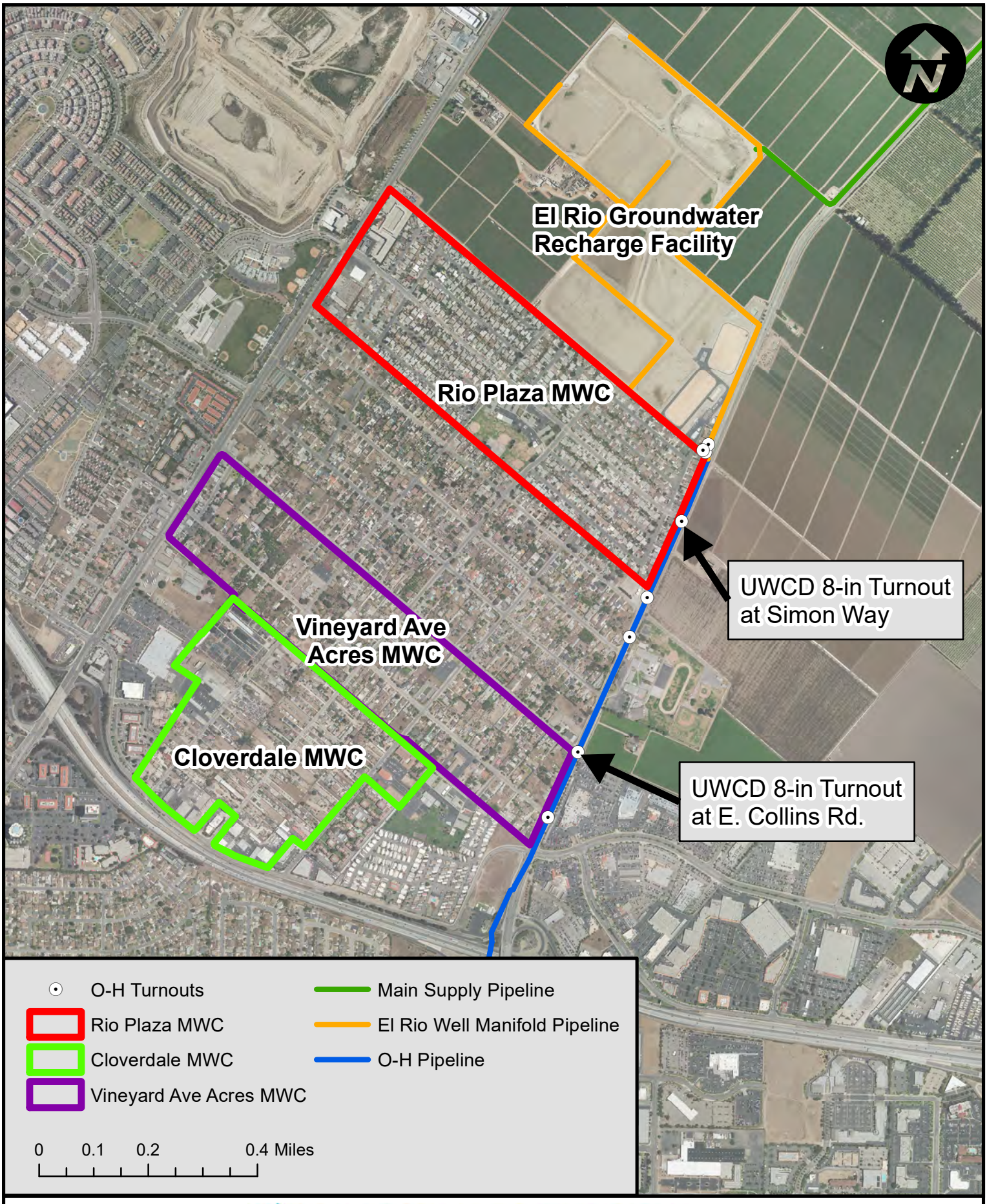
Mark Reifer
Engineering Manager - Project Delivery

**AGREED TO AND ACCEPTED**
Date: _____

United Water Conservation District

By: _____
Board Approval

cc: Brian Collins, Chief Operations Officer, United Water Conservation District
Maryam Bral, Chief Engineer, United Water Conservation District
Jennifer Williams, Operations Manager, California American Water

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United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager
Brian Collins, Chief Operations Officer

**From:** John Carman, Programs Supervisor

**Date:** **August 27, 2021 (September 8, 2021 Meeting)**

**Agenda Item:** **5.1 Monthly Operations and Maintenance Department Report**
**Information Item**

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**Staff Recommendation:**
The Board will receive and file this staff report from the Operations and Maintenance Department regarding its activities for the month of August as well as receive the presentation to the Board supporting this report.

1. Water Releases, Diversions and Deliveries
   - Lake Piru dropped 1.25 feet in August to 15,131 acre-feet (AF) of storage.
   - 0 AF of water was diverted by the Freeman Diversion facility in August.
   - 0 AF of water was diverted to the Saticoy recharge basins in August.
   - 0 AF of surface water was delivered to the El Rio recharge basins in August.
   - 0 AF of surface water was delivered to the PTP system in August.
   - 0 AF of surface water was delivered to Pleasant Valley County Water District in August.

2. Major Facilities Update
   - **Santa Felicia Dam**
     - Lake Piru dropped 1.25 feet August 1, 2021 through September 1, 2021, to 15,131 AF of storage.
     - On September 1, 2021 the lake level was 76.9 feet below the spillway lip.
     - Cumulative rainfall measured at rain station 160 did not exceed trigger values during the winter of 2021, and habitat water releases from Santa Felica Dam (SFD) were maintained at 7 cubic feet per second (cfs), for the month of August, as per the Water Release and Ramping Rate Implementation Plan for lower Piru Creek.
     - The Annual FERC Law Enforcement Consultation (Ventura County Fillmore Sheriff & FBI) conducted at SFD shop.
     - On August 16, 2021, Division of Safety of Dams (DSOD) inspected under the Spillway seepage.
     - Piru Canyon power supplied via portable generation, provided by SCE, during a month long infrastructure upgrade effort.

- **Freeman Diversion, Saticoy, and El Rio Recharge Facilities**
  - Flows at the Freeman Diversion averaged 0 cfs for the month of August, with 0 cfs of surface water being diverted on January 1, 2021.
  - During the month of August, 0 AF of surface water deliveries were made to the Saticoy Recharge Facility.
  - During the month of August, 0 AF of surface water deliveries were made to the El Rio Recharge Facility.
  - On August 12, 2021, Ventura County Environmental Health annual inspection was performed at Saticoy and El Rio Booster plant facilities with no reportable violations.
  - Staff graded roadway from floc building to Freeman Diversion in preparation for Pavement Coatings Company application of Earth Bid dust control product.
  - Static water levels (distance of water from the well pad to the water table):

| | 2021 | 2020 | 2019 |
|---|---|---|---|
| Saticoy | 138.8' | 112.9' | 85.5' |
| El Rio | 132.2' | 119.10' | 118.12' |
| PTP | 129' - 175' | 112' - 151' | 126' - 126' |

- **Noble/Rose/Ferro Basins**
  - 0 AF of surface water was delivered to the Noble & Rose basins during August.

- **Oxnard-Hueneme (OH) Delivery System**
  - August 18, 2021, from 0700hrs-1800hrs staff operated El Rio Booster Plant with standby generators, downstream users were supplied with backup natural gas engines to accommodate installation of new high voltage wellfield AR switch.
  - El Rio staff changed backup gas #2 engine air starter and repaired vacuum system water supply leak.

- **Pleasant Valley County Water District (PVCWD)**
  - During the month of August PVCWD received 0 AF of surface water from United and PVCWD continued to receive surface water from the Conejo Creek Project and also received some highly treated recycled water from the City of Oxnard's Advanced Water Purification Facility (AWPF).
  - District staff coordinated with contractor R&B Automation to replace air operated 36 inch & 48 inch reservoir valves and actuators.

- **Pumping Trough Pipeline (PTP)**
  - During the month of August, the PTP system demand was met with PTP Wells.
  - Staff excavated the PTP Reservoir fill valve for the purpose of troubleshooting actuator & valve issues. It's been determined that the 24" valve will require replacement, planning and coordination in progress.
  - Staff upgraded Turnouts 115 & 159 with new Endress Hauser meter assembly.

- **Instrumentation**
  - Instrumentation staff reconfigured radios establishing communication with all thirty-one Endress Hauser remote access PTP turnout meters.
  - On August 9, 2021 District staff installed uninterruptible power supply for SFD dam crest communications resiliency.
  - Staff completed the Grand Canal programing and communications configuration.
  - Instrumentation staff installed new solar panel at PTP Turnout 147.
  - Staff replaced OH Well #19 motor soft start.

- **Lake Piru Water System**
  - All chlorine residuals and turbidity readings for the drinking water system were within proper ranges for the month of August.
  - Monthly pH, turbidity and coliform samples were obtained for Lake Piru, as part of the Long Term 2 Enhanced Surface Water Treatment Rule compliance monitoring.
  - On August 3, 2021 staff performed annual Cla-Valve maintenance on all SFD pump barge valves.
  - On August 4, 2021 staff removed and repaired barge pump #2 return line plumbing.

3. Operations and Maintenance Projects Update
   - August 17, 2021 Engineering and Operations took delivery FEMA OES grant funded El Rio Facility Wellfield emergency generator.

4. Other Operations and Maintenance Activities
   - The Santa Felicia Dam Emergency Action Plan sirens located in Piru were exercised on August 6, 2021.
   - On August 18, 2021 staff attended the Santa Paula Chamber of Commerce board meeting.
   - The monthly inspection of Santa Felicia Dam was performed.
   - Monthly bacteria samples were obtained for the PTP system.
   - Staff installed a Saticoy JLB secondary source meter on the domestic tank.
   - Staff disked Rose and Nobel basins.
   - Painted discharge heads and manifold piping on all Booster Plant pumps.
   - Monthly meter readings were obtained for the OH, PTP, and PV Pipelines.
   - Completed and electronically transmitted the monthly OH Pipeline report to the State Water Resources Control Board Division of Drinking Water.
   - Static water levels were obtained for all El Rio, Saticoy, and PTP wells.
   - Weed abatement continued throughout the District.
   - Action priority update biweekly meetings for operations staff were continued.

5. Safety and Training

   - During the month of August approximately 3100 hours of work, within the O & M department, were performed with no reportable accidents. The department's YTD safety record is 1 recordable injury.

- Two safety meetings were conducted on July 15 and August 19, with the former in UWCD Board Room with social distancing and the latter via the Microsoft Teams application to maintain social distancing practices out of an abundance of caution. For the July Safety Meeting, two videos were provided to staff entitled *Slips Trips and Falls Safety* by Emory EHS Office and *Slip Trips and Falls* by SafeWork Manitoba. For the August Safety meeting, two videos were provided to staff entitled *Hazard Communication* by Ally Safety and *Drum Explodes During Welding, Killing Worker* by WorkSafe BC. The primary objective was to provide awareness and reminders on slip, trips, and fall hazards as well as a refresher on Hazard Communication, which included a review of the District's Safety Data Sheet management system. AWWA safety handouts entitled on "Avoid Slips and Trips" and "Don't' Let Chemicals Get You!" were briefed to staff. Staff fulfilled California Occupational Safety and Health Administration (Cal/OSHA) reviewing Hazard Communication; general review. Staff also attended an active assailant preparedness training presented by a renowned subject matter expert in this field. Selected staff also attended an EPA Webinar entitled "How to Comply with EPA's EPCRA and 112(r) Reporting Requirements for Chlorine."
- Tailgate safety meetings were conducted at all individual O&M field locations and the topics included refresher training on equipment used at the various O&M locations. The online Target Safety assignments for July and August were "Water Industry: Slip, Trip, and Fall Prevention" and "Water Industry: HAZMAT Spill Prevention and Control."

Attachments: A - Operations Log for August

# OPERATIONS LOG

| DATE | SANTA FELICIA DAM | | | | | | | | FREEMAN DIVERSION** | | | | | RECHARGE | | | | | IRRIGATION | | | | | | O-H | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | SFD El. | Stor. | Surface | Evap. | Inflow Balance | Outflow USGS | Hydro | Rain 106E | River | Diverted | Fish*** Facility | Bypass Channel | Crest | El Rio | Saticoy Facility | | Noble/ Rose | Piru | T.I.D. | P.T.P. | PVCWD | | L.P. | Saticoy Wells | Total | Cl2 |
| | Ft. | A/F | Acres | Inches | Av. CFS | Av. CFS | Kw | Inches | Av. CFS | Av. CFS | Av. CFS | Av. CFS | Av. CFS | Av. CFS | Misc CFS† | Weir CFS | Av. CFS | Av. CFS | A/F | A/F | A/F | % | A/F | A/F | A/F | Lbs. |
| **A/F*** | | 15751 | | | 6,999 | 14,938 | | 4.57 | 19,015 | 18,175 | 376 | 460 | | 10,413 | 2566 | | 0 | 0.0 | 5,180 | 3,897 | 1,493 | | 0.0 | 0 | 11,581 | 90,689 |
| 8/1/21 | 979.30 | 15726 | 504.20 | 0.158 | -3 | 7.53 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 37.1 | 295 |
| 8/2/21 | 979.25 | 15701 | 503.50 | 0.392 | -1 | 7.54 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 41.7 | 326 |
| 8/3/21 | 979.22 | 15685 | 503.10 | 0.318 | 3 | 7.5 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 40.4 | 324 |
| 8/4/21 | 979.15 | 15650 | 502.10 | 0.340 | -7 | 7.55 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 43.8 | 317 |
| 8/5/21 | 979.12 | 15635 | 501.70 | 0.274 | 3 | 7.51 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 43.7 | 370 |
| 8/6/21 | 979.07 | 15610 | 501.10 | 0.368 | -1 | 7.47 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 45.1 | 320 |
| 8/7/21 | 979.03 | 15590 | 500.50 | 0.339 | 1 | 7.43 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 47.1 | 324 |
| 8/8/21 | 979.00 | 15575 | 500.10 | 0.278 | 3 | 7.4 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 38.7 | 293 |
| 8/9/21 | 978.95 | 15550 | 499.50 | 0.269 | -2 | 7.38 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 41.1 | 304 |
| 8/10/21 | 978.91 | 15530 | 499.00 | 0.328 | 1 | 7.37 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 43.6 | 320 |
| 8/11/21 | 979.86 | 15505 | 498.40 | 0.375 | -1 | 7.39 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 50.5 | 387 |
| 8/12/21 | 978.81 | 15480 | 497.80 | 0.267 | -2 | 7.37 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 47.8 | 346 |
| 8/13/21 | 978.76 | 15455 | 497.20 | 0.347 | -2 | 7.39 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 49.5 | 369 |
| 8/14/21 | 978.73 | 15440 | 496.80 | 0.321 | 3 | 7.48 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 50.8 | 368 |
| 8/15/21 | 978.69 | 15421 | 496.30 | 0.318 | 1 | 7.47 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 43.6 | 340 |
| 8/16/21 | 978.64 | 15401 | 495.80 | 0.285 | 0 | 7.46 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 42.5 | 318 |
| 8/17/21 | 978.61 | 15381 | 495.30 | 0.267 | 0 | 7.42 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 33.9 | 290 |
| 8/18/21 | 978.57 | 15361 | 494.90 | 0.239 | 0 | 7.42 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 23.5 | 177 |
| 8/19/21 | 978.53 | 15342 | 494.40 | 0.160 | 0 | 7.47 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 41.6 | 296 |
| 8/20/21 | 978.49 | 15322 | 493.90 | 0.165 | 0 | 7.91 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 43.9 | 320 |
| 8/21/21 | 978.45 | 15302 | 493.40 | 0.243 | 0 | 7.7 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 44.0 | 327 |
| 8/22/21 | 978.42 | 15287 | 493.00 | 0.206 | 2 | 7.62 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 35.5 | 274 |
| 8/23/21 | 978.37 | 15263 | 492.40 | 0.238 | -2 | 7.77 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 36.0 | 276 |
| 8/24/21 | 978.34 | 15248 | 492.00 | 0.230 | 2 | 7.41 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 35.8 | 294 |
| 8/25/21 | 978.30 | 15229 | 491.60 | 0.230 | 0 | 7.46 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 39.8 | 306 |
| 8/26/21 | 978.26 | 15209 | 491.10 | 0.259 | 0 | 7.54 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 38.1 | 303 |
| 8/27/21 | 978.22 | 15189 | 490.60 | 0.347 | 1 | 7.66 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 38.0 | 305 |
| 8/28/21 | 978.17 | 15165 | 490.00 | 0.318 | -1 | 7.38 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 38.8 | 310 |
| 8/29/21 | 978.14 | 15150 | 489.60 | 0.306 | 3 | 7.34 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 33.4 | 269 |
| 8/30/21 | 978.09 | 15126 | 489.00 | 0.338 | -1 | 7.34 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 35.7 | 290 |
| 8/31/21 | 978.03 | 15096 | 488.30 | 0.230 | -5 | 7.36 | 0 | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.00 | 0.0 | 0.0 | 35.4 | 302 |
| **TOTAL CFS** | | | | | -7 | 232 | | 0.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | | | | | | | |
| **AVERAGE CFS** | | | | | 0 | 7 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | | | | | | | | |
| **TOTAL A/F** | | | | | -15 | 459 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | | 0 | 0.0 | 1260 | 9660 |
| MONTHLY REVENUE TO DATE (approx.) | | | | | | | $0 | K | | | | | | | | | | | | | | | | | | |
| **AVERAGE A/F** | | | | | 0 | 15 | | | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0 | 0 | 0 | 0 | 0% | 0 | 0.0 | 41 | 312 |
| **WATER YEAR TOTALS A/F** | | | | | 6,984 | 15,397 | | 4.57 | 19,015 | 18,175 | 376 | 460 | 0 | 10,413 | 2,566 | | 0 | 0.0 | 5,180 | 3,897 | 1,493 | | 0 | 0 | 12,841 | 100,349 |

* Input total A/F previous month

** Daily averages imported from Ranch Systems

*** Fish facility flows include Denil fishladder, aux pipe and smolt bypass pipe

† Includes Ponds A, C, E, and I overflows, temporary storage in the desilting basin and Pond B, JLB diversions, losses between meters. Negatives mean prior storage from pond B or desilting basin is discharging to other metered sources.

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Clayton W. Strahan, Chief Park Ranger

**Date:** **August 17, 2021 (September 8, 2021 Meeting)**

**Agenda Item:** **5.2 Monthly Park and Recreation Department Report**
**Information item**

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**Staff Recommendation:**
The Board will receive this summary report and a presentation from the Park and Recreation Department regarding its activities for the months of July and August 2021.

**Discussion:**
Following a successful start to the summer season, Recreation staff kept the positive momentum and rolled forward into a very busy July and August. Staff kept busy with routine maintenance and operation tasks, as well as multiple law enforcement and medical responses. Among other things, staff dealt with large crowds, lots of boaters, and a bear with a bad habit of getting into trash cans. Despite the hot weather and significant workload, staff was productive and continued pushing forward to turn the Recreation Area into an asset for the District.

Note – this report contains several tasks and incidents that occurred during the month of June after the filing of the previous staff report and are included here to ensure the Board is fully informed of activities at the Recreation Area.

## 1. Staff Tasks and Activity Highlights

- **June 27:** Rangers assisted a guest with repairs on a vessel trailer with mechanical failure preventing safe transportation of the vessel.
- **June 28:** Staff completed brush clearance work surrounding the Pothole trailhead parking lot to maintain compliance with County fire regulations.
- **July 8:** Staff continued efforts associated with cleaning up the dry storage area near the marina and making several maintenance repairs, including repairing the onsite gas pump
- **July 12:** Staff facilitated annual maintenance of assigned patrol vehicles. This was performed at the Bunnin dealership in Fillmore.
- **July 13, 27:** Staff transported researchers from the Southern California Coastal Water Research Project around the lake by boat to support their work in identifying cyanobacteria in bodies of water around the area.
- **July 13:** Staff performed routine quagga mitigation measures on District watercraft,

including pulling the vessels from the water and pressure washing them to reduce the impact of the quagga mussels on the operating systems of the boat and aid in population management.

- **July 13:** Staff performed mid-season repairs to more than 20 picnic tables with broken and/or damaged surfaces, replacing missing hardware and/or painting due to heavy and continued use. This task is conducted annually in July each season.
- **July 20:** Staff conducted mid-season lake maintenance activities including moving buoys and dock and re-positioning the swim beach delineators. This is an annual mid-season task that requires a minimum of four people and watercraft to accomplish.
- **July 22-25:** Staff assisted EcoMarine LLC and Anghera Diving with ongoing quagga mussel management efforts associated with the scraping and removal of adult quagga mussels from District infrastructure. Staff's primary role was to provide top side support to divers as they engaged in maintenance activities.
- **July 27:** Staff conducted significant plumbing repairs to the Olive Grove restroom facilities. This included rebuilding flushing valves, P-traps and floor drains in an effort to ensure adequate amenities for the District's guests.
- **July 1-August 3**: The District's landscape contractor for the Lake Piru Recreation Area performed three repair/mitigation projects associated with three areas within the Recreation Area. Work was performed to run new control wires, replace irrigation valves and to replace irrigation heads in all three grass areas within the day use area encompassing the Condor Point store and day use areas nearest the ranger station, the park entry kiosk, and the day use facility. The largest effort was associated with the day use park, as all 240 irrigation heads and 22 valves were replaced and all new control wires were pulled to restore full automation to the parks irrigation systems.
- **August 3:** Staff assisted the Operations & Maintenance Department with efforts associated with servicing the CLA valves and other infrastructure at the Lake Piru Water Treatment Plant.
- **August 3:** Staff initiated annual maintenance repairs on the District's work barge used to move large anchors on the reservoir. Unfortunately, the level of maintenance needed required skills not possessed internally and the vessel was taken to Lakeside Boats in Castaic for repairs and maintenance.
- **August 10:** Staff performed a multi-departmental move of the marina and shore-side anchors to accommodate falling lake levels as a result of evaporation and mandated conservation releases. This effort included staff from both the Recreation and Operations departments at the Santa Felicia Dam.
- **August 15:** Staff performed electrical safety repairs in the Olive Grove Campground including re-securing locked electrical panels, replacing broken emergency lighting and testing GFI outlets.
- **August 17**: Staff assisted researchers from California State University Long Beach in their work investigating geological formations around the Recreation Area.

## 2. Staff Training/Meetings/Events

- **Weekly throughout July and August:** Intra-department meetings were held to familiarize staff with operational procedures and developments at the Recreation Area. These meetings included involvement with administrative staff, operations staff, and human resources.
- **July 9:** Staff facilitated filming with ABC News for a story on the water crisis in California, including an interview with General Manager Mauricio Guardado.
- **July 20:** Staff met with members of Boy Scout Troop 128 to coordinate their visit and identify service projects for them to complete during their stay.
- **July 20:** Staff completed respirator fit testing at the El Rio facility.
- **August 13:** Staff held a meeting to plan future developments in the Recreation Area to remain in compliance with Article 412 Recreation Improvement Project requirements.
- **August 16:** Staff met with members of the Engineering team to further the planning process of multiple upcoming CIP projects at the Recreation Area.

## 3. Revenue and Visitation Recap

| **2021 Day Use Revenue Recap and Comparison** | |
|---|---|
| 2021 Day Use Revenue (Jan. 1-August 17, 2021) | $274,111.20 |
| 2019 Day Use Revenue (Jan. 1-August 31, 2019) | $174,665.60 |
| Total Revenue Increase/Decrease from Prior Year | $99,445.60 |
| Annual Increase in % | 57% |
| **2021 Camping Revenue Recap and Comparison** | |
| 2021 Camping Revenue (Feb. 19-August 17, 2021) | $389,198.40 |
| 2019 Camping Revenue (Jan. 1-August 31, 2019) | $420,642.57 |
| Total Revenue Increase/Decrease from 2019 | $(31,444.17) |
| Annual Increase in % | (7.5%) |
| **Current and Record Year Comparison (2019 vs. 2021)** | |
| 2021 Combined Revenue (Jan. 1 to August 17) | $663,309.60 |
| 2019 Combined Revenue (Jan. 1 to August 31) | $595,308.17 |

** *Camping Revenue has been impacted by the park closure order due to COVID-19. Camping reservations resumed on February 19, 2021, and in person camping began March 11th.*

*** *It should be noted that 2019 was one of the highest revenue years in the history of the park. 2021 is on pace to exceed the 2019 day-use numbers and is just slightly below the camping revenue from that year.*

| **2021 Total Visitation Figures** | | | | |
|---|---|---|---|---|
| **Month** | **# Nights/Sites** | **# People** | **# Vehicles** | **# Vessels** |
| January | 0 | 2,627 | 1,196 | 219 |
| February | 0 | 2,047 | 1,049 | 155 |
| March | 243 | 3,473 | 1,771 | 393 |
| April | 624 | 5,940 | 2,653 | 483 |
| May | 732 | 5,346 | 3,292 | 507 |
| June | 685 | 5,581 | 3,025 | 730 |
| July | 1,007 | 6,986 | 3,783 | 817 |
| August (1-17) | 316 | 2,893 | 1,588 | 474 |

4. **Incidents/Arrests/Medicals**

Ranger personnel had an increase in both responses for aid and enforcement actions during the month of June and July. Several items of note are listed below:

- **June 25**: Rangers responded with the California Highway Patrol and Ventura County Fire to a reported traffic collision on Piru Canyon Road just outside the Recreation Area. There were no injuries and the driver was later arrested for driving under the influence.
- **June 25**: Rangers coordinated a search of the Recreation Area for a reported missing guest. After some time, the guest was located unconscious locked inside a shower. The Ventura County Fire Department responded to provide assistance and the guest was transported for more comprehensive medical care.
- **June 26:** Rangers responded to a reported vessel fire in the area of the marina. Upon arrival, they learned that the fire had been extinguished by the vessel owner using the extinguisher stationed on the marina. The vessel had recently been repaired and caught fire from a significant fuel leak immediately after starting the engine. There were no injuries.
- **June 26:** Rangers and Ventura County Sheriff's deputies responded to a reported stabbing in the Olive Grove campground. After an investigation, it was determined that no stabbing occurred, but multiple subjects were arrested and several groups were ejected from the Recreation Area.
- **June 27:** Rangers responded to a medical emergency on the lake and learned that two subjects had been ejected from a jet ski and took in water upon impact with the lake surface. One subject was having trouble breathing and Ventura County Fire Department responded to assist him. The subject was transported to the hospital for further evaluation.
- **July 2:** Rangers contacted the Ventura County Sheriff's Office regarding a subject in the Recreation Area exhibiting bizarre behavior and signs of intoxication or mental illness. Following an evaluation, the subject was arrested for being under the influence of a controlled substance.
- **July 2:** Rangers responded to a reported vessel fire on the lake. Upon locating the subject vessel, it was determined that no fire occurred, but rather the occupants jumped off into the lake, inhaled water, and became exhausted. The guests were transported back to shore, medically evaluated by the Ventura County Fire Department, and ultimately released.
- **July 4:** Rangers responded to a medical incident in the area of the Olive Grove campground and located the patient at the bottom of Squirrel Canyon. The juvenile patient had attempted to chase a ball down the hill and fell, resulting in a broken ankle. The juvenile's guardian declined emergency medical care and transported the patient to the hospital for care.
- **July 4:** Rangers responded to a medical incident in the area of the Olive Grove campground. A guest had fallen over the retaining wall surrounding the lower restroom, resulting in significant bruising to the thighs and shins. The guest declined emergency medical care and was provided ice packs.
- **July 4:** Rangers and Ventura County Sheriff's deputies responded to a reported fight in the Olive Grove Campground, resulting in multiple persons being arrested.
- **July 10:** Rangers responded to a report of a guest driving a van through the campground running on the rim with the tire on fire. Staff extinguished the fire and identified the driver. Officers from the California Highway Patrol responded to assist and arrested the driver for driving under the influence.

- **July 16:** Rangers responded to a report of a guest walking throughout the campground, harassing other guests, and behaving irrationally. After the guest proved to be confrontational to Rangers, deputies from the Ventura County Sheriff's Office responded and ultimately arrested the guest for being under the influence of a controlled substance.
- **July 18:** While walking along the marina, Rangers observed a guest struggling to swim and dropping under the water. Rangers pulled the guest from the lake, provided first aid, and monitored his vital signs. After an observation period, the guest declined further medical treatment or care.
- **July 18:** Rangers received a report of a theft from a tent in the Olive Grove campground. The victim reported that someone went through their tent during the early morning hours while they were gone and stole several valuable items. As Rangers were unable to identify possible suspects or evidence, the victim was advised to contact the Sheriff's Office to file a theft report.
- **July 18:** Rangers searched the Recreation Area after dark to locate a missing guest. Ultimately, the guest was located along the lake shore far away from their vehicle. They became disoriented in the dark and were not sure how to get back to their intended location.
- **July 30:** Rangers responded to a criminal threat incident in the Olive Grove campground. After an investigation, it was determined that no crime could be established, but both parties were advised to remain away from each other and no further problems occurred.
- **July 30, August 1:** Rangers responded on two nights in a row to the Lower Oaks camping area, where guests reported being shot with BB guns by multiple persons in a vehicle. There were no injuries. Rangers were unable to determine a motive for the shooting or identify suspects. One suspect vehicle was stopped by Rangers but determined to be unrelated to the incident.
- **July 30:** Rangers responded to a large disturbance in the Group 1 campground. It was determined that several members of an extended family began fighting with each other after a disagreement. The involved parties did not desire prosecution and there were no injuries. A significant number of guests left the site to keep the peace among the family.
- **August 8:** Rangers located a male subject walking along Piru Canyon Road late at night. The subject requested assistance with his vehicle, which had become stuck in the National Forest, forcing the subject to walk multiple hours back to the Recreation Area. Rangers attempted to assist the subject with the recovery of his vehicle but determined that the vehicle was stuck in a location that was beyond their ability to recover. The subject was transported back to his residence and provided resources to coordinate the extraction of his vehicle.

## 5. Citations/Enforcement Summary

Throughout July and August, ten citations were issued for violations of District Ordinance 15 and state law, including:

- Ordinance 15 Section 3.2, Public Use Fees
- Ordinance 15 Section 5.5(a), Operate Vehicle Off Road
- Ordinance 15 Section 5.6(j), Fishing After Hours
- Ordinance 15 Section 5.9(b), Noise After Hours

- Harbors & Navigation Code 655(a), Reckless Operation of Vessel
- Harbors & Navigation Code 655.2(a)(2)(C), Speed in Restricted Area
- Penal Code 374.3(a), Illegal Dumping

It should be noted that numerous other enforcement contacts were made for violations of District Ordinances. However, as it is the District's goal to use education as a means for compliance, in most cases Park Rangers used these incidents as an opportunity to educate the guests via a verbal warning.

**6. Grants**

Staff recently spent time evaluating a cyber security grant administered by Ventura County via Homeland Security as a possible opportunity for funding to upgrade the security cameras at Lake Piru. Staff met with the County Sheriff's office on June 29 to discuss the potential for partnering with the Sheriff's Department on the possibility of a joint project to make the viability more favorable for both agencies. After that meeting, staff determined a joint project was not feasible and on July 12 submitted a standalone project application headed up by Tony Huynh, the District's Safety and Security Program Coordinator. Staff is currently awaiting on a response from the administering agency to determine if the District will be awarded the grant in the amount of $59,120.

United Water CONSERVATION DISTRICT

# Staff Report

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Maryam Bral, Chief Engineer
Dan Detmer, Supervising Hydrogeologist

**Date:** August 25, 2021 (September 8, 2021, Board meeting)

**Agenda Item:** **5.3 Monthly Water Resources Department Report**
**Information Item**

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**Staff Recommendation:**
The Board will receive a report and presentation from the Water Resources Department regarding its activities for the month of August.

**Discussion:**

**Staff Activities**

In addition to the Department's routine, ongoing groundwater monitoring and reporting programs and its support of Groundwater Sustainability Agencies (summarized in a separate staff report), notable efforts and activities conducted by staff during the past month included the following:

- Groundwater Modeling:
  - Staff has completed expansion and documentation of the active domain of United's numerical groundwater flow model to incorporate the Piru, Fillmore and Santa Paula basins, updated the Regional Model to include the years 2016-2019, and verified the calibration of the expanded and updated model. Staff has also completed documentation of the inputs required for forward-looking projections conducted for the Mound and Fillmore & Piru basins groundwater sustainability agencies (GSAs). Staff is finalizing documentation of the model update and verification effort. The independent Expert Panel has reviewed the expanded and updated Regional Model and related documents and authored a Technical Memo on the subject.
  - Staff are making good progress converting the 2018 version of the groundwater flow model (coastal plain basins) to a new software version that allows for the simulation of salinity changes associated with saline intrusion in the coastal areas surrounding Pt. Mugu and Port Hueneme. This work is funded by the Prop 1 Coastal Brackish Project

feasibility study and incorporates revised geologic mapping in the study area, work that was also funded by the Prop 1 grant.

- Staff continue to help the Environmental Services Department (ESD) evaluate effects of existing and potential future surface water flow conditions at the Freeman Diversion.
  - Staff are assisting ESD in evaluating fish passage modifications under consideration for United's Habitat Conservation Plan (HCP).
- Staff continue to assist with planning and coordination for release of Table A water and supplemental State Water Project water acquired from the Santa Clarita Valley Water Agency and the City of San Buenaventura. 3,150 AF has been received and we have the option to purchase an additional 1,260 AF.
- Staff continue to collaborate with the Engineering Department with development and design of a portfolio of new or improved water-supply projects within the District's service area. Staff and their consultant are working and meeting regularly to refine the conceptual design of water-supply projects and conveyance systems so that they yield the best value in terms of sustainable yield for the groundwater basins in United's service area, and refine existing routing models to distribute available surface water and new water supply project water.
- Staff supported the Engineering Department with inspection of geologic conditions in the vicinity of a small volume of groundwater seepage that has occurred in the vicinity of the spillway at Santa Felicia Dam.
- Staff is working on a report detailing conditions related to ongoing and active saline intrusion in the Oxnard basin.

Outreach and Educational Activities:

- Dr. Bram Sercu, John Lindquist, and Tony Emmert gave a presentation titled "Building Our Way to Water Sustainability" to the Association of Water Agencies of Ventura County on July 22. The presentation focused on progress being made on improving existing and developing new water-supplies in our area, focusing on projects by United and other entities in the Oxnard and Pleasant Valley basins.
- Staff participated in planning efforts for United's upcoming Water Sustainability Summit tentatively scheduled for this fall. Activities included support of development of an agenda, development of analyses and evaluations of new projects, and preparation of presentations for the Summit.
- Staff developed presentations for talks they were invited to give at the Groundwater Resources Association of California's "Western Groundwater Congress" in Burbank this September.
- Dan Detmer presented a talk titled "Overview of groundwater basins conditions, Groundwater Sustainability Plans, and planning for new water supply projects" at the August 25 Irrigation and Nutrient Management Meeting for Berry and Vegetable Crops meeting, sponsored by UC Cooperative Extension.

United Water CONSERVATION DISTRICT

# Staff Report

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Maryam Bral, Chief Engineer
Dan Detmer, Supervising Hydrogeologist

**Date:** August 26, 2021 (September 8, 2021 Board meeting)

**Agenda Item:** **5.4 Update on Groundwater Sustainability Agencies (GSAs) and Sustainable Groundwater Management Act (SGMA)**
**Information Item**

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**Staff Recommendation:**
The Board will receive a report and presentation from the Water Resources Department regarding its activities for GSAs in the months of July and August.

**Discussion:**

**Fox Canyon Groundwater Management Agency (FCGMA)**
Staff continue to monitor and, where appropriate, participate in the FCGMA's groundwater sustainability planning and implementation efforts in the Oxnard, Pleasant Valley, and Las Posas Valley (Western Management area) basins. United staff continue to meet periodically with FCGMA staff to develop analyses of benefits and impacts of water-supply projects and different variations of those projects in support of developing a sustainable, resilient water-supply portfolio for the service areas of both agencies. United staff also attended and, where appropriate, contributed to FCGMA Board and Committee meetings, as follows:

*Board of Directors meetings* – The FCGMA Board held regular meetings online on July 28 and August 25. Notable topics included at the July 28 meeting included:

- Board received a presentation from FCGMA staff on the Oxnard and Pleasant Valley (OPV) Variance Review Committee summarizing variance requests reviewed to date and questions raised by staff and public regarding whether and how the Committee should continue. A motion to defer further action on this topic until FCGMA staff provided a written report responding to the issues raised was passed by the Board.
- Board received a presentation from FCGMA staff on the City of Simi Valley's current plans for discharges of treated effluent to the Arroyo Simi/Las Posas which impact the

sustainable yield of the Las Posas Valley Basin. The Board approved Dudek to conduct groundwater modeling and prepare an amendment to the Groundwater Sustainability Plan for the Las Posas Valley basin.

Notable topics included at the August 25 meeting included:

- Discussion of options for continuing or discontinuing the OPV Variance Committee process.
- Consent agenda item for a letter of support for United's Prop 1 Round 3 implementation grant application

*OPV Variance Review Committee meeting* – The FCGMA Operations Committee did not hold a meeting in the months of July or August.

*Fiscal Committee meeting* – The FCGMA Fiscal Committee did not hold a meeting in the months of July or August.

*Operations Committee meeting* – The FCGMA Operations Committee did not hold a meeting in the months of July or August.

The Legal *Ad Hoc* Committee of the OPV Core Stakeholder Group has not met since June 11. Discussions by this committee are subject to a non-disclosure agreement.

**Fillmore and Piru Basins Groundwater Sustainability Agency (FPBGSA)**

Staff continue to participate in FPBGSA activities supporting SGMA compliance and GSP preparation for the Fillmore and Piru basins, as follows:

*Board of Directors meetings* – The FPBGSA held a regular Board meeting on July 15 and August 19. Notable topics during the July 15 meeting included:

- The Board approved the scheduling for upcoming Stakeholder Workshops. The Workshops will receive comments on and answer questions regarding the public draft Groundwater Sustainability Plans. An in-person Workshop is scheduled for September 17 at 10am to 12pm at Fillmore City Hall. A virtual Workshop on Zoom is scheduled for September 23 after the FPBGSA regular Board meeting.
- The Board approved the Resolution 2021-05, establishing standardized management of the Fillmore and Piru basins. The Agency has, from its beginning, worked to develop a consistent system for both basins, as the two basins are interconnected, share the same hydrology, land uses and environmentally sensitive areas; and share many of the same pumpers. Aside from the original joint powers agreement, the Agency had no policy documents that stated this. Adoption of Resolution 2021-05 stated this intent to have a consistent planning and management for both basins, as much as possible.

- A topic of discussion during the August 19 meeting was the expiration of Executive Order N-29-20 that temporarily suspended some Brown Act open meeting requirements during the COVID-19 pandemic period and discussion regarding board meeting format following the Executive Order's expiration.
- Executive Director Tony Emmert also ask the board to think about the application review process for new wells following submittal of the GSPs. The Ventura County moratorium on new wells for expanded water use expires when the GSPs are submitted, and the Agency should think about developing policy for handling applications for new wells.

The next regular FPBGSA Board meeting is scheduled for September 23 at 5:00 pm.

*GSP preparation* – The draft GSP for the Fillmore basin, as prepared by consultant DBS&A was posted on the agency website on August 9. The public comment period for the Fillmore basin GSP closes on October 9. The draft GSP for the Piru basin was posted on August 23 and comments are due October 23. A web-based data management and mapping system that includes well construction information and available water level and water quality records for wells within the Piru and Fillmore basins remains available on the agency website, as are numerous technical references relating to the basins and development of the GSPs.

*New Monitoring Wells* – Staff is helping coordinate land access agreements with area landowners in opportune locations for new monitoring wells funded by a DWR Technical Support Services grant. Staff is also preparing documents for a request for bids from C-57 well drilling contractors.

**Mound Basin Groundwater Sustainability Agency (MBGSA)**

Staff continue to participate in MBGSA activities supporting SGMA compliance and GSP development for the Mound basin, as follows:

*Board of Directors meetings*

The MBGSA Board held regular meetings on July 15 and August 19. The MBGSA Board held their third GSP public workshop on July 15 immediately following the regular Board meeting on that date.

The main topic of discussion during the regular Board meeting on July 15 was the update that the Executive Director Bryan Bondy provided concerning the installation of monitoring wells through DWR's technical Support Services (TSS) grants program for GSP development and implementation. The Board authorized the following actions related to the TSS monitoring well:

- A TSS agreement was received from DWR related for construction of two nested monitoring wells at the City of Ventura's Wastewater Treatment Plant near the mouth of the Santa Clara River. The Board authorized the finalization and execution of the agreement with DWR for the wells.

- The Board authorized the finalization and execution of the Site Use agreement with the City of Ventura and authorized the procurement of liability insurance for the planned monitoring wells described above.
- The Board authorized the execution of the Administration Coastal Development Permit Acknowledgement of Conditions form for the planned monitoring wells described above.

The MBGSA Board also held their third GSP public workshop on July 15. The primary topics presented and discussed at this workshop were SGMA background and a summary of draft GSP contents.

Notable topics of discussion during the August 19 Board meeting included:

- The Board received a status update from Executive Director Bryan Bondy on GSP development and schedule. The 60-day public comment period closed on August 23rd, and staff can address any issues if there are any in September. Staff are working toward possible approval of the draft GSP by Board at the regular December Board meeting to give time for submittal on the DWR website.

The next regular MBGSA Board meeting is scheduled for September 16, at 1:00 pm.

*GSP preparation* –United staff have completed delivery of draft text, tables, and figures in support of the water-budget and monitoring sections of the GSP, as requested by the MBGSA. United staff are supporting development of responses to public comments on the GSP as requested by the MBGSA.

**Santa Paula Basin Technical Advisory Committee (TAC)**

Staff continue to participate in the Santa Paula basin TAC in support of the Santa Paula Basin Judgment and in conformance with SGMA reporting requirements for adjudicated basins, as follows:

The Technical Working Group of the TAC held a meeting on August 17. The primary topics presented and discussed at this meeting include:

- Summary of the draft 2020 Santa Paula Basin Annual Report.
- Summary of United's Regional Model, which now includes Santa Paula, Fillmore, and Piru basins.
- Status of, and comments on, the Triggers Analysis.

A TAC meeting is scheduled for September 21. Notable items on the agenda include discussion of the new/destroyed wells in Santa Paula basin, allocation transfers, the draft 2020 Santa Paula Annual Report, Status update on United's Regional Model and potential use of model for yield enhancement evaluations, and GSP update for neighboring basins.

United Water
CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager
Anthony A. Emmert, Assistant General Manager

**From:** Joseph Jereb, Chief Financial Officer
Josh Perez, Human Resources Manager
Zachary Plummer, Information Technology Administrator
Kris Sofley, Executive Administrative Coordinator/Clerk of the Board

**Date:** **August 10, 2021 (September 8, 2021, meeting)**

**Agenda Item:** **5.5 Monthly Administrative Services Department Report**
**Information Item**

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**Staff Recommendation:**
The Board will receive a staff report and presentation from the Administrative Services Department regarding its activities for the months of July and August.

**Discussion:**
Activities that took place during the months of July and August 2021 and include:

**Finance**

- Collected over $7.4 million in payments for groundwater pumping: $5.4 million in July and $2 million in August.
- Continued the billing and estimate process for groundwater, which will be completed the first week of September.
- Met with Department Managers to review their FY 2020-2021 total spend and created an updated Budget to Actuals reports and analysis.
- Began the fiscal year-end close process for FY 2020-2021.
- Planned for auditor year-end fieldwork, which will take place in the second half of September.
- Attended a kickoff meeting for the Integrated Regional Water Management Plan state grant and coordinated with Calleguas Municipal Water District regarding submission and requirements for the first grant invoice. Finalized first grant invoice and submitted August 27, 2021.
- Attended an introductory grant application meeting for the new the Integrated Regional Water Management Plan federal grant.
- Streamlining Lake Piru cash and credit card collection and reconciliation process.

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- Controller position filled on July 19, 2021.

**Human Resources**

- Advanced internal and external recruitments, including interviews and onboarding, for the following positions:
  - Administrative Assistant II
  - Associate Environmental Scientist
  - Engineering Manager
  - Environmental Services Lead Field Technician
  - Environmental Services Field Assistants (4 new part-time hires)
  - Environmental Scientist – Regulatory Affairs
  - Principal Hydrogeologist – Modeler
  - Seasonal Park Ranger Assistants (two new part-time hires)
  - Technology Systems Manager
  - Water Resources Manager
- Working on recruitments for Volunteer Camp Host positions for Recreation which will lead into the fall/winter and beginning of next season.
- Coordinated several mandated Department of Transportation tests for Class A Drivers in July.
- Completed end of fiscal year tasks (July):
  - End of fiscal year appraisals for staff at Step 5
  - Administrative Leave (memos and PAFs)
  - Cost-of-Living Increases (COLAs) for all full-time staff
  - Housing increases for District housing
  - Updated Workers Compensation rates for new fiscal year
  - Working on updating project codes for employees for new fiscal year

**Administrative**

- Admin team continues to work with Department Heads on integrating reports and documents into District's physical and electronic filing systems, developing processes for communication and paperwork, and creating templates for committee and board presentations.
- Began outreach for the Water Sustainability Summit II, including letters of invitations to guest speakers and designing a "save the date" mailer.

**Safety and Risk Management**

- In conjunction with Engineering and the Recreation Departments, coordinated FERC Annual LE Security Consult Meeting.
- Managed Annual Hearing and Respiratory Fit testing for multiple departments.
- Organized outreach with VCFD Urban Search & Rescue Officer and O&M Department on confined space site visits throughout the District.
- Arranged Active Assailant Training for District Staff that received high praise from staff members in attendance.

- Supported Engineering Department with Santa Felicia Dam EAP updates and Ventura County Multijurisdictional Hazard Mitigation Plan.
- Updated COVID-19 Prevention Plan because of the new public health order issued by Ventura County.
- Provided training Adult and Pediatric CPR/AED/First Aid Training, resulting in eight additional staff members becoming certified.

**Technology Systems**

- Technology Systems staff completed a successful migration of UWCD file and folder shares to a refreshed network infrastructure.
- Continued efforts towards the implementation of strategies to support the Districts IT lifecycle management goal of critical business systems. This lowers existing system cybersecurity vulnerabilities associated by outdated software.
- Staff worked towards completing the IT prerequisites required to facilitate the upgrade of the District's electronic filing software. This is the digital copies of the physical filing systems. This upgrade will likely be finalized in September or early October.
- Purchased IT Equipment and deployed refreshed PC's and peripherals where end of life or failing equipment was observed during the months of July and August.
- Additional FirstNet devices deployed to key departments to support on-call duty and temporary construction projects.
- Technology Systems staff also acquired equipment and mobile storage that will enhance UWCD capabilities for the Emergency Operations Center and Response Planning for Continuity of District Operations.
- In July, six of seven United's Board of Director's members were issued FirstNet iPads and provided personalized training experience on how to use the devices to conduct virtual meetings and access the devices most beneficial features for conducting District business.
- Technology Systems staff provided training on end user Cybersecurity challenges with an emphasis on phishing and attachment and content verification of e-mail messages. Highlighted the use of password managers and enrolling with multiple factor authentication applications
- Registration with DHS CISA to preform Cyber Architecture Review limited of United's Critical Infrastructure technology systems.
- IT and O&M Instrumentation staff supported the software assessments of "Internet of Things" Asset management and anomalies network traffic interrogation technologies or security software to potentially add to the technology departments cyber response and detection capabilities.
- Purchased and facilitated the install of a centralized IT System Log Server. Providing IT with extended capability in troubleshooting and detection capabilities.
- Worked towards completing the decommissioning of outdated IT system servers, due to IT technical difficulties and complex software dependencies of United's other IT systems. The physical servers were received. The next step will be deployment using the District's recently-approved vendor.

- Technology Systems staff coordinated service center repairs of several equipment components that had ceased working within warranty periods. Examples include television displays, laptops, and printers.

IT Service Desk and Support Stats for months of July and August

During the months of July and August 2021, thirty-four (34) new service request tickets were added to the ticketing system. Twenty-six (26) requests were resolved and closed during this period. Currently, thirty-three (33) requests are pending completion.

State by Ticket Type

| | Open | In Progress | Awaiting Reply | Pending 3rd party | Waiting for approval | Total |
|---|---|---|---|---|---|---|
| IT Projects and Change Management | 4 | 6 | 0 | 0 | 0 | 10 |
| IT Purchase Request | 0 | 0 | 0 | 0 | 3 | 3 |
| IT Services and Support | 13 | 10 | 4 | 0 | 0 | 27 |
| Total | 17 | 16 | 4 | 0 | 3 | **40** |

Monthly ticket type overview - 2021

| Type | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Alerts and Advisories | 0 | 2 | 2 | 1 | 0 | 1 | 3 | 0 | / | / | / | / | 9 |
| Fix a Account Problem \| Password Reset | 0 | 0 | 0 | 1 | 2 | 0 | 0 | 1 | / | / | / | / | 4 |
| IT Projects and Change Management | 0 | 3 | 3 | 0 | 0 | 4 | 0 | 1 | / | / | / | / | 11 |
| IT Purchase Request | 6 | 5 | 0 | 0 | 1 | 0 | 0 | 0 | / | / | / | / | 12 |
| IT Services and Support | 10 | 13 | 15 | 2 | 28 | 19 | 13 | 14 | / | / | / | / | 114 |
| Network \| Port patching | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | / | / | / | / | 1 |
| New employee | 0 | 2 | 2 | 3 | 1 | 0 | 2 | 0 | / | / | / | / | 10 |
| Total | 16 | 26 | 22 | 7 | 32 | 24 | 18 | 16 | / | / | / | / | **161** |

Monthly ticket priority overview - 2021

| Type | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| High | 2 | 2 | 1 | 0 | 1 | 2 | 0 | 0 | / | / | / | / | 8 |
| Low | 14 | 23 | 19 | 7 | 26 | 21 | 17 | 14 | / | / | / | / | 141 |
| Medium | 0 | 1 | 2 | 0 | 5 | 1 | 1 | 2 | / | / | / | / | 12 |
| Total | 16 | 26 | 22 | 7 | 32 | 24 | 18 | 16 | / | / | / | / | **161** |

Monthly ticket source overview - 2021

| Type | Jan | Feb | Mar | Apr | May | Jun | Jul | Aug | Sep | Oct | Nov | Dec | Total |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Email | 15 | 26 | 21 | 7 | 27 | 20 | 17 | 12 | / | / | / | / | 145 |
| In Person | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | / | / | / | / | 1 |
| Phone | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | / | / | / | / | 1 |
| Website | 1 | 0 | 0 | 0 | 4 | 4 | 1 | 4 | / | / | / | / | 14 |
| Total | 16 | 26 | 22 | 7 | 32 | 24 | 18 | 16 | / | / | / | / | **161** |

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager

**From:** Maryam A. Bral, Chief Engineer
Craig A. Morgan, Senior Engineer
Robert J. Richardson, Senior Engineer
Michel Kadah, Engineer
Adrian Quiroz, Associate Engineer
Erik Zvirbulis, GIS Analyst

**Date:** **August 30, 2021 (September 8, 2021 meeting)**

**Agenda Item:** **5.6 Monthly Engineering Department Report**
**Information item**

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**Staff Recommendation:**
The Board will receive and file this summary report from the Engineering Department regarding activities for the months of July and August 2021.

**Discussion:**
1. Santa Felicia Dam Safety Improvement Projects
   - Spillway Improvement Project
     - Staff continued their review of the draft Technical Memorandums (TMs) received from GEI Consultants (GEI) for the current design phase. GEI will incorporate Staff's comments in the final design package that is anticipated to be submitted to the Federal Energy Regulatory Commission (FERC), California Department of Water Resources Division of Safety of Dams (DSOD), and the Board of Consultants (BOC) by September 3.
     - Staff completed their review of the Geotechnical Data Report and the Geotechnical Investigation Report. Comments were provided to GEI to be incorporated in the final design package.
     - On June 4, Staff submitted a notice of intent along a brief project description and estimated design cost for the Santa Felicia Dam Safety Improvement Project to DSOD for consideration for the High Hazard Potential Dam Grant Program supported by the Federal Emergency Management Agency (FEMA). On June 25, DSOD as the main applicant submitted a grant application to FEMA on behalf of several eligible dam owners. FEMA is planning to release the grant award to DSOD in mid-September 2021.
     - On July 23, Staff prepared and submitted a Letter of Interest to the U.S. Environmental Protection Agency (EPA) for consideration of the Santa Felicia Dam Safety

Improvement Project for the Water Infrastructure Finance and Innovation Act (WIFIA) program. WIFIA program is a long-term, low-cost, supplemental credit assistance loan program. The total requested WIFIA loan amount is $51,693,083, which is 49% of the estimated total project cost of $105,496,088. EPA will evaluate the Letter of Interest and the project selection is expected to be in the Fall of 2021.

- On August 23, Staff received a draft proposal for the next design phase from GEI. Staff is currently reviewing the proposal and anticipates presenting the final copy of the proposal to the Engineering and Operations Committee and to the Board in October 2021.
- Staff is in the process of coordinating the BOC meeting No. 5 which will be held in person at the District headquarters on September 21 through 23, 2021.

- Outlet Works Improvement Project
  - As the 30% design phase is being finalized, Staff is reviewing the 30% design reports and drawings and providing comments to GEI. The 30% design packet will be finalized and submitted to the BOC, FERC, and DSOD on September 3, three weeks ahead of the BOC Meeting No. 5.
  - Per GEI's recommendation, Engineering and Environmental Staff met with Amiad Water Systems at the District's headquarters on August 4 to learn about Amiad filtration systems for the removal of invasive species including quagga mussels. Amiad specializes in filtration systems for variety of applications and has helped numerous clients across the USA. Staff is currently planning to assess the application of a disk filtration technology for removal of quagga mussels and might conduct a pilot test at Lake Piru to evaluate the efficacy of the Amiad filtration system.

- FERC License Amendment Application and NEPA Documentation
  - As part of the NEPA processing and documentation, and per FERC's request, Staff began scheduling informal technical assistance meetings with NMFS and CDFW via FERC. The first technical assistance meeting was held on April 22, 2021. This was the second time that the District was meeting with the agencies to provide progress updates on the Santa Felicia Dam Safety Improvement project and discuss options for the new release channel alignment and features since March 2018. The new release channel will connect the new outlet works discharge channel to the Lower Piru Creek.
  - Staff coordinated two more meetings with the agencies on June 10 and July 29 to present additional alignment alternatives for the new release channel. Staff is expecting to receive written comments from NMFS on the new release channel alignment alternatives. The District's consultant, Catalyst led the meetings and GEI participated to support Staff. The next and final meeting is scheduled for October 26 during which the 30% design of the new release channel will be presented to the agencies.
  - On June 22, Staff met with the agencies to present the fish screen design for the new outlet works system. Staff directed GEI and Catalyst to work with Staff and prepare a

Fish Screen Design Technical Memorandum. The TM was finalized and will be included in the 30% outlet works design packet.

- Santa Felicia Dam Safety
  - On July 22, Staff and the Santa Felicia Dam tender noticed a small damp area below the cantilevered section of the spillway chute on the east side of the spillway discharge channel during a project job walk with ECG, the District's surveyor. Engineering Staff conducted a detailed inspection of the area on July 28 and noted a minor seepage. Staff reported the incident to FERC and DSOD on July 29 and was directed to submit daily monitoring reports to FERC and DSOD. In consultation with FERC, the daily reporting to FERC and DSOD was suspended on August 7 since the area had completely dried up with no sign of dampness or seepage (See Figures 1 and 2). On August 16, DSOD conducted a follow up inspection of the area (See Figure 3). DSOD requested Staff to perform a weekly monitoring of the area and record any changes. The weekly monitoring and inspection of the area that was initiated on August 23 is ongoing until further notice. To date no changes have been reported by the dam owner to the Engineering Staff. Staff submitted a detailed 12.10 Incident Report for the spillway seepage incident and submitted it to FERC via FERC's e-filing system on August 13.
  - On July 16, 2021, Staff submitted the Santa Felicia Dam Emergency Action Plan (EAP) to the California Governor's Office of Emergency Services (CalOES) for review and approval. CalOES will complete their review no later than September 3, 2021 and notify the District if the EAP has been approved.

2. Santa Felicia Dam Sediment Management Project
   - Staff in consultation with GEI and Oakridge Geoscience have finalized the scope for the Lake Piru Reservoir Sediment Sampling and Testing Plan. At this time, it was determined that it would be most cost effective to omit borings and proceed with four test pit locations in the reservoir above the high-water line. The test pit exploration work is on track to be performed mid-December 2021 after the environmental permits have been obtained.
   - An agreement was executed with Rincon Consultants (Rincon) on August 11, 2021 for permit support services related to the Lake Piru Reservoir Sediment Sampling and Testing Plan. A Notice to Proceed was subsequently issued on August 13, 2021. Staff and Rincon participated in a project kick-off meeting on August 23, 2021. Rincon will support the District in obtaining a United States Army Corps of Engineers Nationwide Permit, a Regional Waterboard Quality Control Board 401 Certification, and a California Fish and Wildlife Lake and Streambed Alteration Agreement. A duration of seventeen weeks is estimated to obtain these three permits. In addition, the District plans to file a CEQA NOE in-house.

3. Pothole Trailhead Parking Area

- Engineering Staff, in collaboration with the Forest Service, finalized the interpretative signage content for the Pothole Trailhead on June 23, 2021. The sign structure was installed on August 3, 2021 (please see figure 4).
- Staff have continued work with District legal counsel and ECG on preparing two (2) easements for issuance to the United States Forest Service for the public use of the Pothole Trailhead Parking Area and stretches of the Pothole Trail that lie on District Property. A draft legal description for the trail easement was received from ECG on August 9, 2021.

4. Lake Piru Water Treatment Plant Slope Evaluation
   - Staff issued a task order to HDR Engineering, Inc (HDR) for design services related to the LPWTP slope stabilization and drainage improvements on June 8, 2021. HDR submitted 75% Design Plans and Specifications to Staff on July 15, 2021. On July 22, 2021 Staff conducted a design workshop between District O&M and Engineering staff and HDR to review the 75% design documents and provide feedback. Staff submitted comments on the 75% design to HDR on August 5, 2021. HDR will submit the 100% Design Plans and Specifications to Staff by the end of August.

5. Freeman Diversion Rehabilitation/Fish Passage Facility
   - USBR continues construction in its laboratory for the 1:24 scale Hardened Ramp physical model (See Figure 5).
   - Staff and NHC continue to have meetings with NMFS and CDFW to explain the difference between the new alternative (Mod 9) and the alternative presented in the Design Development Document (Mod 6).
   - At the request of NMFS and CDFW, NHC investigated incorporating a low head lift station into the Mod 6 design. NHC concluded that the low head lift station would become a sediment vacuum during the critical time when it would be needed, thus making this an unfeasible option for increasing the diversion yield of Mod 6.
   - GEI has provided a proposal for the supplemental geotechnical investigation program that will be used to inform the engineering design of the Hardened Ramp. Please see the Engineering Motion Item in the September Board Packet.

6. Grand Canal
   - DOD Construction has completed the construction of the Grand Canal hydraulic improvements (See Figure 6).
   - Staff completed their portion of the work. The project is now complete and ready for water.

7. Iron and Manganese Removal at the El Rio Water Treatment Plant
   - Defense Community Infrastructure Program (DCIP) administered by the Office of Local Defense Community Cooperation (OLDCC) under the Department of Defense (DOD)
     - July 8, 2021 – District received a letter of support from Naval Base Ventura County

- July 12, 2021 – District submitted a pre-application for a DCIP grant seeking $4,371,450 in Federal funding
- August 17, 2021 – The OLDCC invited the District to submit a formal grant application
- August 27, 2021 – The District with the assistance of Kennedy/Jenks Consultants submitted a formal grant application to the OLDCC seeking $4,371,450 in Federal funding.
- August 31, 2021 – Attended a pre-award assessment call with OLDCC staff.

- July 14, 2021 - Staff presented three contracts (construction management and inspection services, engineering services during construction, and construction) to the Board of Directors.
- July 14, 2021 – Staff issued the Notice of Award to GSE Construction Company, Inc. for construction of the El Rio Iron and Manganese Treatment Project Phase 1.
- July 21, 2021 – Staff participated in the Prop 1 IRWM Implementation Grant Kickoff Meeting conducted by Kennedy/Jenks Consultants along with staff from the City of Camarillo and Calleguas Municipal Water District.
- July 26, 2021 – Staff executed an agreement with HDR Engineering, Inc. (HDR) for construction management and inspection services related to the El Rio Iron and Manganese Treatment Plant Phase 1 for a fee of $701,956 including a ten percent contingency.
- July 26, 2021 – Staff executed an agreement with Kennedy/Jenks Consultants, Inc. for engineering services during construction related to the El Rio Iron and Manganese Treatment Plant Phase 1 for a fee of $488,625.
- July 29, 2021 – Staff issued the Notice to Proceed to HDR Engineering, Inc. for the construction management and inspection services.
- July 29, 2021 – Staff issued the Notice to Proceed to Kennedy/Jenks Consultants, Inc. for the engineering services during construction.
- August 19, 2021 – Staff executed a Lease Agreement with Mobile Modular Management Corporation for a 12'x 32' construction office trailer. The office trailer will serve as the construction management office for District Staff and HDR's construction manager. The office trailer is tentatively scheduled to be delivered on September 22, 2021.
- August 25, 2021 – Staff and HDR Engineering, Inc. conducted a Pre-Construction Meeting with GSE Construction. Also in attendance were Taft Electric, Earth Systems, and Kennedy/Jenks Consultants. The major topics of discussion included site safety, potholing and grading operations, office trailer locations and work hours. The meeting concluded with a site tour to the El Rio Facility for GSE Construction and Kennedy/Jenks Consultants.
- August 26, 2021 – After receiving the documents specified in the Notice of Award (Payment and Performance Bond, Preliminary Construction Schedule, Billing Schedule of Values, etc), Staff executed a Construction Agreement with GSE Construction Inc. for a fee of $9,342,900.

- August 29, 2021 – Staff completed the 1st Quarterly Progress Report and Invoice for the Department of Water Resources Proposition 1 Integrated Regional Water Management Implementation Grant. The total invoice was $1,067,003.11 to serve as local cost match with costs dating back to 2016.
- August 30, 2021 – Staff issued Work Directive Change No. 1 to GSE Construction Inc. in anticipation of award of the DCIP Grant, Staff has directed GSE Construction to prepare an alternate set of submittals for material and equipment that would satisfy the Buy American Act (BAA) as required by this grant. In addition, the change directive requests that GSE identify the estimated cost and schedule impacts resulting from the sourcing of the American made material that would satisfy the BAA requirements.
- The tentative schedule for the project is as follows:
  - September 17, 2021 – District anticipates OLDCC to issue Notices of Award for the DCIP grant program.
  - September 17, 2021 – Notice to Proceed for construction
  - September 22, 2021 – Office Trailer Delivery
  - October 30, 2022 – Complete construction and implementation

8. El Rio Well Replacement
   - General Pump has tentatively slated the week of September 27 for the installation of the pump and motor.

9. OH Backup Generator at the El Rio Booster Plant
   - On July 13, Staff received FEMA's approval of the budget increase request. The project was approved for additional grant funding in the amount of $165,784 (Federal share) that increased the total approved grant amount to $812,321.
   - Construction activities related to the new backup generator are ongoing. To date several electrical equipment has been installed, the new 800 kW generator was delivered to the site.
   - On August 16, Staff issued Change Order No. 2 that extended the project completion date to December 23, 2021. The time extension was issued to accommodate the delay in manufacturing and delivery of the Automatic Transfer Switch (ATS).
   - August 18 - Southern California Edison (SCE) performed a power shutdown to allow the construction contractor to install the new recloser. The recloser was installed and tested prior to restoring power by SCE.
   - August 27 – Construction contractor anchored the new generator and the three new transformers to the concrete pads. Please See Figures 7 to 10

10. PTP Turnout Metering System Improvement
    - Total number of meters installed: 33 of 61 installed or 54.1% complete.
    - An additional three (3) meter installations are planned in Fall 2021.

- Easement acquisition completion: 16 of 41 obtained or 39% complete
- Two (2) owner-signed easements require recording with the County Recorder's office.
- July 9, 2021 – Obtained owner signature on easement deed at PTP No. 118.
- July 15, 2021 – Two new installations at PTP Nos. 115 and 159.
- August 2, 2021 – Meeting with new owners at PTP No. 106 to discuss pending easement acquisition and improvements. Sent revised deed on August 17, 2021.
- August 2, 2021 – Staff observed significant owner installed improvements at PTP No. 134 potentially impacting installation of metering system improvements. Determined ownership change on May 28, 2021. Hamner, Jewell & Associates (HJA) working on coordinating with new owners.
- August 11, 2021 – Received two recorded deeds (PTP No. 110 and 159).
- Nearly all installed flow meters now in continuous communication with the SCADA system.

11. Recycled Water Update
    - No updates to report.

12. State Water Project (SWP) Interconnection Pipeline Project
    - Addendum #1 to the certified EIR was adopted by the City Council on July 12, 2021. Addendum #1 includes geotechnical borings within the Santa Clara River riverbed for the purpose of geotechnical investigation and informing the project design and geophysical field exploration to collect data that were not included in the EIR.
    - The draft Agency Agreement is on hold and might need to be revised to update Casitas' level of involvement in the project.
    - Design of Calleguas portion of the interconnect has started.
    - Engineering Staff continues to support the City and the City's consultants who are preparing for geotechnical investigations at Ferro Basin and Santa Clara River riverbed within United's property.

13. Rice Avenue Grade Separation Project
    - Maryam Bral and Brian Collins met with the Ventura County Public Works Agency (VCPWA) Staff and the City of Oxnard's Engineers at the County's Government Center on July 12 to discuss the Rice Avenue Grade Separation Project. VCPWA discussed the modified design of the overpass and the need for relocating or reinforcing approximately 700 linear feet of United's existing 30-inch pipeline.
    - VCPWA Director discussed the efforts made by the County and the City to fund United's utility relocation despite the lack of United's evidence for prior rights, and that the City and County cannot pay for UWCD's utility relocation because it would be a gift of public funds

and it would impact future utility relocation expectations and precedents for all utility companies.

- VCPWA explained that Caltrans Utility Agreements are necessary for the Project to receive Caltrans right of way certification prior to construction.
- VCPWA discussed the County letter of intent. The intent is for the County to relinquish the property located to the south of PTP Well Site No. 4 to United in lieu of a portion of United's property that will be occupied by Project at the well site. Once the Project is built, the State will acquire the property on behalf of the Project and will relinquish it to the County and the County will in turn relinquish it to United. For this to happen in the future, approval of the County Supervisors is needed.
- The follow up correspondence to Staff includes a letter from the VCPWA Director dated July 6 explaining the County letter of intent and an email from the County's engineering manager on August 25 that includes a copy of the Caltrans Utility Agreement and the engineering cost estimate for reinforcement of approximately 800 linear feet of the 30-inch pipe. The construction cost including 15% contingency, escalation rate and construction support is $1,492 million.

14. Coastal Brackish Groundwater Extraction and Treatment Project

- July 6, 2021 – Staff invited to submit concept proposal for State Water Resources Control Board (SWRCB) Proposition 1 Groundwater Grant Program (GWGP) Round 3 Implementation Grant. Staff worked on a proposal for demonstration production and monitoring wells located at Naval Base Ventura County (NBVC) Point Mugu. Concept proposals are due September 7, 2021.
- July 15, 2021 – Presented project at Society of American Military Engineers Meeting at NBVC Port Hueneme.
- July 15 and August 19, 2021 – Internal Monthly Progress Meetings held.
- July 27 and August 24, 2021 – District and U.S. Navy Monthly Progress Meetings held.
- July 7 and August 19, 2021 – Progress Meetings held with Trussell Technologies (Trussell) to discuss Treatment Extended Desktop Study. Discussed iron and manganese pre-treatment, reverse-osmosis configurations, finished water quality goals and brine discharge.
- August 3, 2021 – Notice of Intended Award sent to GEI Consultants for CEQA documentation and processing work. District has entered into negotiations with GEI.
- August 19, 2021 – Kick-off meeting held with Kennedy/Jenks Consultants (K/J) to discuss Water Distribution Alternatives Analysis. Discussed conceptual Coastal Zone and Forebay pipelines. Discussed distribution through existing systems (Oxnard-Hueneme Pipeline, Pumping Trough Pipeline, Pleasant Valley County Water District).
- Groundwater model refinement is nearing completion. Next step is to check and recalibrate the MODFLOW-USG flow model.

- Worked on expanded list of constituents for coastal monitoring well sampling to better determine treatment efficacy and brine discharge options.
- Upcoming (scheduled and tentative):
  - Scheduled Technical Advisory Committee (TAC) #3 Meeting (SWRCB, Los Angeles Regional Water Quality Control Board, Division of Drinking Water, Fox Canyon Groundwater Management Agency, U.S. Navy) for September 27, 2021.
  - September – Receive draft Treatment Extended Desktop Study from Trussell.
  - October – Presentation of project progress at 2021 Water Sustainability Summit.
  - October – Kick-off meeting for the CEQA Initial Study preparation.
  - November – Potential invitation to submit full proposal for SWRCB Prop 1 GWGP Round 3 Implementation Grants.
  - November – Receive draft Water Distribution Alternatives Analysis Technical Memorandum from K/J.
  - December – Complete all groundwater modeling work related to SWRCB Proposition 1 GWGP Planning Grant

15. Asset Management

- On August 4, 2021, Maryam Bral, Robert Richardson, and Erik Zvirbulis met and reviewed multiple Survey 123 applications ready to be deployed into the field for the first round of O&M trials.

16. California American Water (CalAm)

- CalAm, Cloverdale Mutual Water Company, and Jeff Densmore with the Department of Water Resources, Division of Drinking Water met with Engineering and Operations Staff on August 5 to discuss options for connecting to the OH pipeline. CalAm recently acquired Rio Plaza and is looking for options to increase the reliability of the Rio Plaza water system. Cloverdale and Vineyard Avenue Acres are in the process of a merger and are looking for a backup supply. Through a preliminary review of the OH pipeline as built plans, the Engineering Staff identified two 8-in turnouts off of the OH pipeline that may be used for the emergency interconnection purposes. The District received a letter from CalAm dated August 20 that expresses CalAm's request for the Board of Directors approval for establishing the connection to the OH pipeline. Please see the Engineering Motion Item in the September Board Packet.

17. Other Topics, Meetings and Training

- June 2, 2021 – Robert Richardson and Adrian Quiroz held a pre-bid meeting for the Iron Manganese Treatment Project.
- June 3, 2021 – Maryam Bral and Robert Richardson met with the USNBVC to debrief for the leadership meeting that was held on May 26, 2021.

- June 8, 2021 – Staff attended ASDSO webinar "Use of Remote Sensing in Dam Safety-including Drones".
- June 10, 2021 – UWCD held the Santa Felicia Dam Safety Improvement Project – Channel Design workshop, FERC, NMFS and CDFW were in attendance.
- June 21, 2021 – Michel Kadah and Brian Collins prepared and submitted the jurisdictional annex template (Phase 1) for the 2021 Ventura County Hazard Mitigation Plan.
- June 22, 2021 – UWCD held the bid opening for the Iron Manganese Treatment Project
- June 22, 2021 - UWCD held the Santa Felicia Dam Safety Improvement Project – Fish Screen workshop, FERC, NMFS and CDFW were in attendance.
- June 23, 2021 – Michel Kadah and Robert Richardson participated in the AWA/CCWUC Educational Program which included the "Annual Update: California Division of Drinking Water Regulations" presented by Jeff Densmore with SWRCB-DDW Santa Barbara Field Office.
- June 24, 2021 – DSOD Inspection of the Santa Felicia Dam
- June 29, 2021 – Robert Richardson attended a webinar "Visualization of Complex Geologic and Numerical Model Data for Water Resources Decision-Making
- June 29, 2021 – SFD EAP Call Down Drill
- July 1, 2021 – SFD EAP Workshop
- July 12, 2021 – Michel Kadah attended Department of Water Resources Public Hearing for Dam Safety Enforcement Regulations.
- July 14, 2021 – Michel Kadah attended Steering Committee meeting for Ventura County Multi-Jurisdictional Hazard Mitigation Plan Update.
- July 15, 2021 – Presentation to Society of American Military Engineers (SAME) on the CBGWET Project
- July 27, 2021 – Maryam Bral, Robert Richardson, and Michel Kadah attended Barnacle Stop Quagga Mussels Product Presentation.
- July 28, 2021 – Adrian Quiroz conducted the Annual FERC Law Enforcement Consultation Meeting at SFD, Maryam Bral and Michel Kadah attended
- August 4, 2021 – Maryam Bral, Robert Richardson, and Michel Kadah attended Amiad Filter System presentation for Quagga Mussel filtration.
- August 9, 2021 – Michel Kadah and Destiny Rubio attended CPR/First Aid/AED training.
- August 18, 2021 – Michel Kadah attended Department of Water Resources briefing for Pyramid and Castaic Dam Modernization Project Updates at Ventura County Emergency Center.
- August 19, 2021 – Engineering Staff attended Active Assailant Preparedness training.
- August 20, 2021 - Maryam Bral and Michel Kadah prepared and submitted Ventura County Multi-Jurisdictional Hazard Mitigation Plan update, Phase 2 Annex.

**Figure 1**
**Minor Seepage was detected under the Cantilevered Section of the Spillway Slab on July 22**

**Figure 2**
**Follow up Engineering Inspection of the Area on July 28**

**Figure 3**
**DSOD Inspection of the Spillway Discharge Channel on August 16**

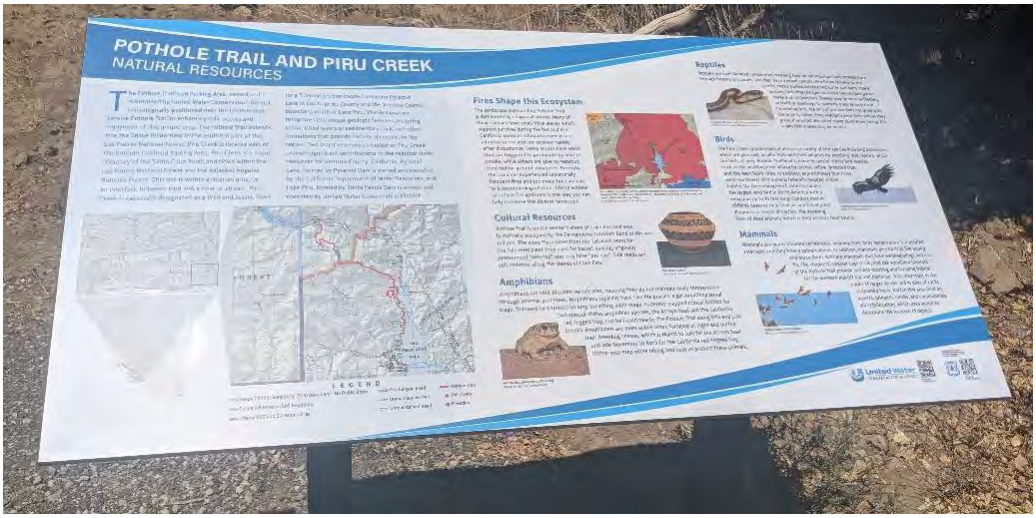


**Figure 4**
**Interpretative Signage Structure at Pothole Trailhead**

**Figure 5**
**Freeman Diversion Rehabilitation/Fish Passage Facility – USBR 1:24 Hardened Ramp Physical Model**

**Figure 6**
**Grand Canal Headworks – Construction Complete**

**Figure 7**
**OH System Backup Generator Project – Concrete Pad Placement**

**Figure 8**
**OH System Backup Generator Project – Concrete Pad Placement**

**Figure 9**
**OH System Backup Generator Project – Light Pole Foundation Replacement**


**Figure 10**
**OH System Backup Generator Project – New Generator Installation**

United Water CONSERVATION DISTRICT

**Staff Report**

**To:** **UWCD Board of Directors**

**Through:** Mauricio E. Guardado, Jr., General Manager
Anthony A. Emmert, Assistant General Manager

**From:** Linda Purpus, Environmental Services Manager

**Date:** **August 30, 2021 (September 08, 2021 Meeting)**

**Agenda Item:** **5.7 Monthly Environmental Services Department Report**
**Information Item**

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**Staff Recommendation:**
The Board will receive and file this staff report from the Environmental Services Department regarding its activities for the months of July and August 2021.

**Discussion:**

1. Santa Felicia Project Operations and Federal Energy Regulatory Commission (FERC) License Support

   - Water Release Plan and Water Release and Ramping Rate Implementation Plan

     Under the Water Release Plan and FERC license for the Santa Felicia Project, United is required to make certain water releases from Santa Felicia Dam for steelhead habitat and migration, when specific triggers are met. Triggers for habitat water releases are based on cumulative rainfall within the water year (beginning October 1 each year) as recorded at Ventura County Watershed Protection District's rainfall station No. 160, located at Lake Piru (see table below). Based on measured cumulative rainfall for the water year, shown in the table below, triggers for enhanced habitat water releases were not met during 2021. Therefore, the minimum required water release will remain at 7 cubic feet per second (cfs) for the calendar year.

| 2021 Habitat water release trigger date | Trigger criteria (total cumulative precipitation on trigger date) | Minimum required water release if trigger is met | 2021 Measured cumulative precipitation | Actual minimum required habitat water release for month |
|---|---|---|---|---|
| **January 1** | 4.80 inches | 15 cfs | 1.73 inches | 7 cfs |
| **February 1** | 8.10 inches | 20 cfs | 3.27 inches | 7 cfs |
| **March 1** | 12.00 inches | 20 cfs | 3.28 inches | 7 cfs |
| **April 1** | 14.90 inches | 20 cfs | 4.57 inches | 7 cfs |
| **May 1** | 16.30 inches | 10 cfs | 4.57 inches | 7 cfs |
| **June 1** | 17.50 inches | 9 cfs* | 4.57 inches | 7 cfs |

*If triggered, the minimum required water release will remain at 9 cfs through October 1, at which time, minimum required water release will be 7 cfs through January 1 of next calendar year.

United has implemented measures outlined in the Water Release Plan, and the Water Release and Ramping Rate Implementation Plan since 2012. During that time, several issues that warrant revision and updates have been recognized. United consulted with the National Marine Fisheries Service (NMFS) and FERC to develop revisions related to the migration water release trigger criteria. The primary proposed revision to the plans is intended to enhance the efficacy of the migration water release by including assessment of a secondary (afternoon) forecast to confirm conditions that form the basis for the decision. On February 4, 2021, staff submitted a revised Water Release Plan to NMFS and FERC for review. On July 22, 2021, Environmental Services staff submitted a revised version of the Water Release and Ramping Rate Implementation Plan to NMFS and FERC for comment and review.

- Santa Felicia Dam Safety Improvement Project (SFDSIP)

  Environmental Services staff is supporting the Engineering Department in addressing environmental regulatory elements of the SFDSIP. A consultation meeting was conducted under Section 7 of the Endangered Species Action during the reporting period. On July 29, 2021, District staff met with regulatory agencies (FERC, NMFS, California Department of Fish and Wildlife (CDFW), and California State Water Resources Control Board (State Water Board)) related to the channel design for the new release reach.

- Fish Passage

  On July 15, 2021, Environmental Services staff submitted a status update to FERC containing information about interim upstream fish passage measures and progress of regulatory approvals associated with actions downstream of Santa Felicia Dam consistent with the Fish Passage Feasibility Assessment Study Plan. On July 28, 2021, Environmental Services staff convened a meeting of the Santa Felicia Fish Passage Science and Technology Panel (FPSTP). The FPSTP is a group of agency representatives tasked with reviewing and informing activities related to United's assessment of the feasibility of fish passage at the Santa Felicia Project. Agency representatives include FERC, NMFS, U.S. Fish and Wildlife Service (USFWS), CDFW, and the US Forest Service (Los Padres National Forest). The meeting focused on recent and proposed activities related to United's pre-implementation studies intended to address certain biological and engineering uncertainties related to implementation of a trap-and-haul fish passage program around Santa Felicia Dam. United's consultant, Cramer Fish Sciences, presented the results of work to-date in middle Piru Creek and proposed activities for the next two years of study related to resident and downstream migrating *O. mykiss* above Santa Felicia Dam. United's consultant, Stillwater Sciences, presented a proposed study plan for monitoring activities in lower Piru Creek related to upstream migrating adult steelhead below the Santa Felicia Dam. Agency representatives provided feedback and consultation is ongoing.

- Historical Properties Management Plan

  On August 5, 2021, Environmental Services staff submitted a draft Historical Properties Management Plan (HPMP) to the California State Historic Preservation Office (SHPO) for consultation. On August 6, 2021, staff filed a request for extension of time to FERC to submit the final HPMP by December 31, 2021. The time extension was requested to accommodate the California SHPO consultation timeline. The HPMP was developed with a programmatic structure to protect cultural and historical resources when performing ongoing operations and maintenance activities, and support United's federal consultations under Section 106 of the National Historic Preservation Act for future projects under the FERC license.

- Herpetological Monitoring Plan

  On July 26 through 29, 2021, Environmental Services field staff conducted exotic species removal from the spillway ponds below Santa Felicia Dam. Minnow and funnel traps were deployed in ponds and checked daily. In addition, daily monitoring and removal of bullfrog tadpoles was completed during the survey period.

- California Department of Water Resources (DWR) and Los Angeles Department of Water and Power (LADWP) FERC License (No. 2426) – South State Water Hydropower Project (Pyramid Lake)

  On August 18, 2021, Environmental Services staff and management held a meeting with DWR staff to discuss DWR's relicensing progress and United's ongoing research in middle Piru Creek.

2. Multiple Species Habitat Conservation Plan (MSHCP)

- Geotechnical Exploration for the Freeman Fish Passage Facility

  The California Environmental Quality Act (CEQA) final Initial Study and Mitigated Negative Declaration (IS-MND), along with the mitigation monitoring and reporting program (MMRP) in support of the geotechnical explorations for the Freeman fish passage facility project was completed on August 17, 2021. A motion item requesting consideration by the Board of Directors to adopt the final IS-MND and MMRP under Resolution 2021-17 is included in the September Board Meeting (Agenda item 4.3).

  Environmental Services staff received Clean Water Act (CWA) permits and approvals from the Los Angeles Regional Water Quality Control Board (LA Water Board) and the U.S. Army Corps of Engineers (USACE) under Nationwide Permit (NWP) 6 on August 18 and July 9, 2021, respectively. CDFW issued a draft Lake or Streambed Alteration Agreement (LSA) on August 6, 2021, and the final SAA will be executed pending approval and adoption of the project IS-MND. Environmental Services staff submitted an application for a Ventura County Watershed Protection District (VCWPD) watercourse permit on August 9, 2021, and the permit is anticipated to be received by September 8, 2021.

- Multiple Species Habitat Conservation Plan (MSHCP)

  Environmental Services staff and the consultant team completed the issue resolution matrix combining outstanding comments and unresolved issues relating to components of the MSHCP for further coordination with NMFS, USFWS, and CDFW. The outstanding issues resolution matrix will continue to guide updates to the MSHCP as the Freeman fish passage facility design and process continues.

3. Freeman Diversion Operations

- Freeman end-of-season Dewatering

  On July 16 and 20, 2021, Environmental Services staff met with NMFS and CDFW staff to coordinate dewatering at the Freeman Diversion due to cessation of flow within the Santa Clara River. Staff presented a methodology for conducting dewatering in a manner

intended to minimize and avoid potential risks to sensitive resources to solicit feedback from agency representatives. On July 27, 2021, United issued a request to NMFS and CDFW for onsite assistance to conduct dewatering activities on August 10, 2021. On August 6, 2021, United received a letter from CDFW stating that, without issuing a notification pursuant to Fish and Game Code (FGC) Section 1602, proceeding with the August 10 planned activities would constitute a violation of FGC. On August 9, 2021, United issued a notice that the August 10 activities would not be conducted as planned, in observance of the August 6 letter from CDFW.

- Programmatic Sediment Management, Freeman Diversion

  The proposed sediment management activities at the Freeman Diversion have been divided into two phases. The first phase is a streamlined single project intended to take advantage of seasonal dry conditions, and the second phase is a multi-year programmatic approach. On July 13, 2021, United filed a Notification of Lake or Streambed Alteration (LSA) with CDFW in accordance with FGC Section 1602 for the phase one activities. On August 11, 2021, United received a "Notification Incomplete" notice from CDFW regarding the July 13 filing, including several requests for additional information. Staff submitted that additional information on August 19, 2021. On August 11, 2021, United filed an application with the LA Regional Water Quality Control Board for a Water Quality Certification under Section 401 of the CWA as well as a request to modify an existing CWA Section 404 permit with the USACE. During July and August, staff has held numerous consultation meetings with agency representatives from CDFW, NMFS, and USACE regarding the phase one activities. On August 27, 2021, the phase one draft IS-MND was released for public review.

4. Quagga Mussel Management

   - Monitoring

     Staff continues to conduct routine monitoring under the Quagga Mussel Monitoring and Control Plan (QMMCP) including monthly water quality sampling; monthly veliger (microscopic planktonic larvae) sampling; monthly artificial substrate sampling in Lake Piru (plate sampling); and natural substrate sampling in Piru Creek (surface surveys). Surface surveys were also performed at locations accessed through Rancho Temescal property.

   - Control and Containment

     Staff continues to research alternative quagga mussel control and containment measures. On July 27, 2021, and August 4, 2021, staff participated in vendor product presentations detailing a surface treatment product and a quagga mussel veliger filtration system. Staff is reviewing the products and assessing feasibility for our facilities.

5. Miscellaneous

- On June 7 through 10, 2021, Evan Lashly attended the annual (virtual) conference for the Western Chapter of the International Society of Arboriculture.

- On July 8, 2021, Evan Lashly, Tessa Lenz, and Cherie Windsor attended a field training workshop regarding identification, ecology, and survey protocol for yellow-billed cuckoo, a federally listed species, and covered species under United's Freeman MSHCP. This training is a prerequisite for obtaining an ESA Section 10 permit for conducting US Fish and Wildlife Service established protocol surveys for this species.

- On July 22, 2021, Environmental Services staff attended the Santa Clara River Watershed Committee Meeting.

- On July 22, 2021, Environmental Services staff participated in a United sponsored respirator fit testing to support staff's health and safety while conducting field activities.

- On August 8 and 9, 2021, the Environmental Services Department onboarded four new part-time Environmental Services Field Assistants, Kayla Schneider, Robyn Gorecki, Sabrina Kennedy, and Tessa Thomas.

- On August 12, 2021, Environmental Services staff completed CPR, first aid, and AED certification offered by United's Safety and Security Program Coordinator.

- On August 17, 2021, United submitted detailed comments and information to CDFW regarding the CalTrout petition to list southern California Steelhead under the California Endangered Species Act. CDFW will consider the information provided by United in their evaluation of the CalTrout petition, which is anticipated to be completed by September 30, 2021.

- Environmental Services staff developed a CEQA Notice of Exemption (NOE) for the Fillmore Piru Basins Groundwater Sustainability Agency's Monitoring Wells Project in Ventura County. The NOE was filed and posted with the Ventura County Clerk June 14, 2021, through August 09, 2021, and with the California Office of Planning and Research on June 11, 2021.

The Signal
SANTA CLARITA VALLEY

# Non-native quagga mussels reach Castaic Lake

By Kev Kurdoghlian

September 1, 2021

Quagga Mussels found in Lake Piru in December 2013. File photo by Dan Watson, The Signal

The California Department of Water Resources announced Monday that for the first time it spotted quagga mussels, a non-native species, in Castaic Lake.

Staff from DWR and the California Department of Fish and Wildlife found two quagga mussels shells in Castaic Lake on Aug. 17. DWR has monitored the lake since 2008, according to Maggie Macias, a representative for the agency.

“The pathway of introduction and the time of introduction is currently under investigation,” she said in a statement to The Signal.

Quagga mussels pose a threat to California’s native species and can clog water systems, colonize hard surfaces, alter food webs in ecosystems and damage boat engines, according to DWR.

In response to the discovery, the Los Angeles County Department of Parks and Recreation, which oversees the Castaic Lake Recreation Area, will inspect and drain boats leaving the freshwater manmade lake.

“Boat inspectors will check all boats to ensure drain plugs are pulled, ballast tanks are pumped, live wells are drained, and bait buckets are properly emptied,” said Macias.

Boats departing Castaic Lake will receive a tag to indicate that they were last used in a waterbody containing mussels. Inspections of boats entering Castaic Lake have been required since 2011.

The new boat exit inspection requirement is meant to prevent the spread of the invasive mussels, which were found in Pyramid Lake in 2016 and Lake Piru in 2013. Pyramid Lake is upstream from Castaic Lake and both bodies of water are part of the state’s water delivery system.

In 2016, officials worried that the mussel would travel to Castaic Lake from Pyramid Lake, where a few quagga mussels have recently been found.

Macias said Castaic Lake is monitored twice a month during the mussels’ peak breeding season from April through October. During the cooler months of November through March, she said, the lake is monitored once a month.

“Currently, one live mussel has been found after conducting extensive surveys of the shoreline and collecting water samples to examine for the microscopic larval stage,” said Macias. “Over the coming months, DWR will evaluate the feasibility of eradicating the mussel.”

Last month, DWR also announced that construction had started on the Castaic Dam tower access bridge, which is being retrofitted “to reduce seismic risks during a major earthquake,” according to the agency.

A temporary water level drawdown of more than 100 feet was completed in May.

“There will need to be sufficient rainfall and runoff in 2022 to refill Castaic Lake to normal operating levels,” Macias told The Signal last month.

Associated Press

# California moves slowly on water projects amid drought

By ADAM BEAMtoday

Kevin Spesert, public affairs and real estate manager for the Sites Project Authority, points out the main canal of the Glenn Colusa Irrigation District, on Friday, July 23, 2021, near Sites, Calif. The canal would be one of the primary sources of water for the planned Sites Reservoir, a project that would be large enough to supply enough water for 1.5 million households each for one year.(AP Photo/Adam Beam)

SITES, Calif. (AP) — In 2014, in the middle of a severe drought that would test California's complex water storage system like never before, voters told the state to borrow $7.5 billion and use part of it to build projects to stockpile more water.

Seven years later, that drought has come and gone, replaced by an even hotter and drier one that is draining the state's reservoirs at an alarming rate. But none of the more than half-dozen water storage projects scheduled to receive that money have been built.

The largest project by far is a proposed lake in Northern California, which would be the state's first new reservoir of significant size in more than 40 years. People have talked about building the Sites Reservoir since the 1950s. But the cost, plus shifting political priorities, stopped it from happening.

Now, a major drought gripping the western United States has put the project back in the spotlight. It's slated to get $836 million in taxpayer money to help cover it's $3.9 billion price tag if project officials can meet a deadline by year's end. The Biden administration recently committed $80 million to the reservoir, the largest appropriation of any water storage scheduled to receive funding next year.

And the project could get some of the $1.15 billion included in an infrastructure bill that has passed the U.S. Senate.

Still, the delay has frustrated some lawmakers, who view it as a wasted opportunity now that the state is preparing to cut of water to thousands of farmers in the Central Valley because of a shortage.

"The longer you don't build, the more expensive it gets," said Republican state Sen. Brian Dahle, whose rural Northern California district includes farmers.

Storage was once the centerpiece of California's water management strategy, highlighted by a building bonanza in the mid-20th century of a number of dams and reservoirs. But in the more than 40 years since California last opened a major new reservoir, the politics and policy have shifted toward a more environmental focus that has caused tension between urban and rural legislators and the communities they represent.

The voter-approved bond in 2014 was supposed to jump-start a number of long-delayed storage projects. But some experts say the delays aren't surprising, given the complexities and environmental hazards that come with building new water projects.

"We have about 1,500 reservoirs in California. If you assume people are smart — which they kind of are most of the time — they will have built reservoirs at the 1,500 best reservoir sites already," said Jay Lund, co-director of the Center for Watershed Sciences at the University of California-Davis. "What you have left over is more expensive sites that give you less water."

California's Mediterranean climate means it gets most of its rain and snow in the winter and spring, followed by hot, dry summers and falls that see rivers and streams dry up. The largest of

California's reservoirs are operated by the state and federal governments, although neither has built a new one since the 1979 New Melones Lake near Sonora, about 50 miles (80 kilometers) northwest of Yosemite National Park.

That could change with the Sites Reservoir project, which would flood what's left of the town of Sites, located in a valley amid California's coast range mountains.

The town's roots go back to the 1850s, when John Sites, a German immigrant, settled there. At its peak in the late 1800s and early 1900s, it was known for a sandstone quarry that provided building materials throughout the state, including the iconic Ferry Building in San Francisco.

But when the quarry closed shortly after World War I, the town slowly dwindled. Fire destroyed many of the buildings, leaving behind about 10 houses on unirrigated land that can only be used for agriculture during the rainy season. Officials would have to eventually buy those properties from residents to build the reservoir. With only two ways in and out of the valley, it's an ideal spot to flood and turn into a massive lake to store water.


*Dry grass surrounds a sign denoting the Sites Town Square, one of the few remnants of the once-bustling community.* (AP Photo/Adam Beam)

But unlike most California reservoirs, Sites would not be connected to a river or stream. Instead, operators would have to pump water from the Sacramento River whenever it has extra to give. The idea is to take advantage of wet years like 2018, when California got so much rain and snow in the Sierra Nevada mountains that reservoirs were filled beyond capacity.

“We’re really redefining how water is developed in California,” said Jerry Brown, executive director of the Sites Project Authority, who has no relation to the former governor of the same name.

Pumping the water is expensive, which, along with concern from environmental groups, is one reason the reservoir has been talked about for more than 60 years but never built. Many environmental groups argue the reservoir would do more harm than good because they say operators would have to pull way more water than is environmentally safe from the Sacramento River to make the project feasible.

“Fundamentally, it is a deadbeat dam, a pretty marginal project, or else it would have been built years ago,” said Ron Stork, a senior policy advocate for Friends of the River, an environmental advocacy group.

Gov. Gavin Newsom’s administration, which included the Sites Reservoir in its water plan, sees the reservoir as a way to prepare for a future impacted by climate change. California’s reservoir system is designed to capture water from melted snow in the mountains. But climate change could mean less snow and more rain, which the state is not as equipped to capture.

“We are going to start swinging to more extremes, (a) dry, deep drought or big flood,” said Karla Nemeth, director of the California Department of Water Resources. “I do think there is some value to those kinds of projects.”

It will cost $3.9 billion to build the Sites Reservoir, and that’s after project leaders made it smaller to shave about $1 billion off the price tag. Most of the money will come from customers who will buy the water, the federal government and bank loans. California taxpayers have pledged about $836 million to the project from a bond voters approved in 2014.

But to use that money, project leaders have to meet a deadline by the end of the year to show the idea is feasible.

“I’m absolutely confident,” Brown said. “It’s going to be close, but it’s going to make it.” ___

# Quagga Mussel Discovery at Castaic Lake: Boating Requirements Implemented

Published: Aug 30, 2021

Image of large quagga shell.

**SACRAMENTO, Calif.** – The California Department of Water Resources (DWR) will begin implementing additional boating requirements at Castaic Lake in Los Angeles County due to the recent discovery of invasive quagga mussels.

The discovery of quagga mussels means DWR must implement measures to prevent their spread, including requiring boats to be inspected and drained upon leaving Castaic Lake and Castaic Lagoon. While mussels have not been detected to date in Castaic Lagoon, they are presumed to be present since the lagoon receives water from Castaic Lake.

DWR and California Department of Fish and Wildlife (CDFW) staff discovered two quagga mussel shells on August 17, 2021, at Castaic Lake. Earlier in the month, a park visitor reported finding a live mussel in the lake. DWR and CDFW have not detected larval “veliger” stage mussels in Castaic Lake during routine monitoring. CDFW and DWR plan to continue monitoring Castaic Lake and Lagoon, and plan to increase monitoring in the Lagoon and Castaic Creek.

Quagga mussels, which are small, non-native freshwater mollusks, were first discovered in the Colorado River and in California in 2007. In 2016, they were found in Pyramid Lake, the Angeles Tunnel, and Elderberry Forebay. The mussels can be a threat to California's native species and can clog water systems, colonize hard surfaces, alter food webs in ecosystems, and damage boat engines.

Boats are required to be inspected by the Los Angeles County Department of Parks and Recreation before leaving Castaic Lake and all water must be drained from outboards, bilges, live-wells, ballast tanks, bait buckets and any other areas containing lake water. Boats must still pass an entrance inspection and be clean, drained, and dry to be allowed to launch. Entrance inspections are still required because they prevent additional invasive species introductions.

Boats departing Castaic Lake will receive a tag indicating they were last used in a waterbody containing mussels. Tags will allow entry of boats at Pyramid and Castaic lakes without having to be reinspected since both lakes are classified as infested with quagga mussels. After boating in an infested lake, boat owners may experience restrictions or extended dry out periods before visiting another waterbody. Boaters are advised to contact the waterbody destination to be informed of any inspection requirements before their arrival.

Transportation or possession of live or dead quagga mussels, including water that may contain their microscopic larvae, is a violation of Fish and Game Code 2301 and CDFW has authority to take enforcement action.

For additional boat cleaning guidelines, go to A Guide to Cleaning Boats (ca.gov) or DWR's Quagga Mussels: Clean, Drain, and Dry video.

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SPECTRUM NEWS ENVIRONMENT

# Lake Casitas' water level continues to drop amid drought

By Natalie Brunell Ventura County
Aug. 25, 2021

VENTURA COUNTY, Calif. — Lake Casitas is home for Owen Peralta. He works the dock at the marina and each year he's watched the water levels drop more and more.

It has gotten so bad he's worried the lake, which serves as a reservoir supplying parts of Ventura with drinking water, could dry up.

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**What You Need To Know**

- **Lake Casitas has dropped below 35% capacity and officials said it could dip below 30% by next year**
- **"The lake used to be just below the bait shop. It's gone down a ton over the years," said local resident Owen Peralta, pointing to an area multiple football fields away from the current boat dock**
- **Scott Sanford, who works at Lake Casitas Boat Rentals and has been fishing in the area since the 70s, said the water levels are the lowest he's ever seen**
- **The water district has been declaring a water shortage since 2012 and voted to keep a mandatory 30% cut in water use and outdoor watering restrictions**

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"I remember coming here when I was a kid. I think I caught my first fish here," Peralta said. "The way it's looking, I don't know how long it'll be here."

Peralta hopes his neighbors and visitors to this area heed the county's warnings to conserve water.

The lake has dropped below 35% capacity and officials said it could dip below 30% by next year.

"The lake used to be just below the bait shop. It's gone down a ton over the years," Peralta said, pointing to an area multiple football fields away from the current boat dock.

The bait and boat rental shop is where we met Scott Sanford who works here seven days a week and dreads checking the water levels on the Casitas Municipal Water District website.

“It’s too frustrating for me to look at it on a daily basis right now because it’s too discouraging,” San ford said.

Sanford has been fishing here himself since the 70s and remembers a time when Lake Casitas was overflowing. Now it’s the lowest he said he’s ever seen.

“It’s sad and I remind myself we are in SoCal and over the decades this is becoming more the norm and the norm that I don’t like,” Sanford said.

The water district has been declaring a water shortage since 2012 and voted to keep a mandatory 30% cut in water use and outdoor watering restrictions.

Both Sanford and Peralta are trying to remain optimistic, but they know the situation is dire, putting a spotlight on the need for conservation.

“I hope we can recover from this,” Peralta said. “But it’ll take a lot of water to come back from something like this.”

# As state water woes continue, Ventura County moves into worst drought category

By Sid Garcia
Wednesday, August 25, 2021 12:57AM

**For the first time, a Southern California county has been moved into the worst drought category.**

THOUSAND OAKS, Calif. (KABC) -- California's drought has up to now been most severe in the state's central and northern regions, but that may be changing.

Ventura County has now fallen into the "exceptional" drought category when it comes to its water supply. It's in a stage 2 water shortage alert.

"We are putting out the signal that conservation is very important right now in order to preserve our reserves for next year," said Dan Drugan of the Calleguas Municipal Water District.

Long Beach's drought-friendly lawn program has saved 120 million gallons of water since 2010, and homeowners can even get reimbursed for labor, materials and landscape design.

The Calleguas Municipal Water District facility in Thousand Oaks is at capacity, and it will always be kept that way since it's the water reserves the county will dip into if there's a severe shortage. It's kept full by the yearly snowpack runoff from Northern California.

However, at Lake Casitas, the water level is low. The years of drought has those who monitor the county's water supply asking residents to cut back on their water usage, especially when it comes to outdoor watering, like lawns.

"When I talk about lawns, it's OK to have it but we encourage you to water efficiently," Drugan said. Also check for leaks. If you have them, get them fixed.

According to the Calleguas Municipal Water District, some parts of Ventura County will record the lowest amount of rainfall ever accumulated.

Los Angeles Times

August 24, 2021

# Drought worsens across region

## Ventura and other counties shift from ‘extreme’ conditions to ‘exceptional.’

DROUGHT-STRESSED Lake Casitas near Ojai. Officials at the Metropolitan Water District of Southern California, which provides imported water to Calleguas Municipal Water District, said the state’s supply has been “increasingly stressed by the extreme drought.” (Brian van der Brug Los Angeles Times)

By Melissa Hernandez

As sweltering drought conditions continue to worsen throughout California, Ventura and other Southern California counties have shifted from “extreme” to “exceptional” drought conditions, according to the U.S. Drought Monitor Report .

Along with Ventura County, northwest Los Angeles County, most of Kern County and the eastern portion of San Bernardino County are also in the federal report's highest range, signifying "exceptional drought."

Almost all of California is facing detrimental drought conditions, with 50 of the state's 58 counties under a state of emergency .

In Ventura County, Calleguas Municipal Water District officials have declared a shortage, continuing their call to residents to conserve water.

"The board's action urges residents, businesses and agencies in Metropolitan's 5,200-square-mile service area to lower the region's water demand to stave off more severe actions in the future, which could include restricting water supplies to Metropolitan's 26 member agencies," officials said in a statement Aug. 17.

Officials at the Metropolitan Water District of Southern California, which supplies imported water to Calleguas Municipal Water District, said the state's water supply has been "increasingly stressed by the extreme drought."

Last week, the MWD issued a supply alert, calling on all of Southern California to conserve water amid the continued drought, a move that brings the state's largest population center closer to tough water restrictions that have been imposed on communities elsewhere.

The alert came one day after U.S. officials declared the first-ever water shortage on the Colorado River, a key source for the region and one that supplies the Calleguas Municipal Water District, which serves approximately 75% of Ventura County.

In a statement released by the MWD, board member Gloria D. Gray said the water management district has needed to begin tapping into its stored reservoirs, and continued to urge residents to conserve water.

"We don't know what next year will bring. We must all find ways we can save even more so we have the water we need if this drought continues," Gray said.

Last month, Gov. Gavin Newsom's office called for all California residents to voluntarily reduce their water consumption by at least 15% .

Metropolitan General Manager Adel Hagekhalil echoed Newsom's call to residents to save water, stressing the need for California to come together to solve the crisis.

"We are working with the governor's office and water agencies throughout California to maximize available supplies," Hagekhalil said. "We encourage Southern California to step up again, just as we have in the past, to do our part to reduce our region's water use."

Bloomberg Law

# Megadrought to Pit Fish Lives Against Human Needs in U.S. West

Aug. 23, 2021, 3:01 AM

- Battles loom over water rights for streams and fish
- Finding ways to share more water poses challenge

Water cuts aimed at farmers amid the West's megadrought have set the stage for bitter legal and political fights over one of the most overlooked water uses—the right of water to remain in streams to sustain fish and endangered species, lawyers say.

The drought is poised to call that right into question, pitting drinking water providers and food growers against conservationists who want to keep streams wet so that fish can survive.

"When the choice is between drinking water for a community and water for flora and fauna, I think that's where we'll see conflict begin," said Fred Breedlove, a water rights lawyer and counsel at Snell & Wilmer LLP in Phoenix.

The Interior Department's Bureau of Reclamation this week announced a first-ever water shortage in the Colorado River Basin that is expected to force Arizona farmers to cut their water use and eventually force further cuts across all seven states in the basin.

The declaration has "major implications for the stream flow and the health of rivers and streams around the basin," said Leon Szeptycki, a University of Virginia law professor and former executive director of Water in the West at the Stanford University Woods Institute for the Environment.

## First to Lose

As the West dries up, flows set aside for the environment are likely to be the first to lose, said Buzz Thompson, a water lawyer and of counsel at O'Melveny & Meyers LLP.

"As a result, you see environmental groups and others who favor in-stream flows working to try to accord environmental water the same degree of security as other water," he said.

Water left in rivers is important not only for the survival of endangered fish and other species, but also for recreation, Szeptycki said.

The megadrought's effect on streamflows aren't limited to the Colorado River Basin. Already this year, salmon runs are drying up in California and Oregon, and keeping them wet will require a greater sacrifice from people who use the water upstream for human uses, Szeptycki said.

## Varying Rights

Historically, water rights for streams weren't considered legitimate under the West's water rights legal framework—known as the system of prior appropriation—because water in a river was considered to have no beneficial use.

That started to change in the 1970s, when some states began recognizing water rights for rivers, known as in-stream flow rights, or environmental rights.

Today, each Western state allocates water for streams differently. Colorado and Oregon have a clear legal framework for establishing and transferring in-stream water rights, but Nevada, Arizona and New Mexico lack such a framework, said Szeptycki, who co-authored a state-by-state legal analysis on environmental water rights in 2015.

Idaho gives in-stream flow rights a lesser status compared to other water uses, he said.

But even in states with a clear legal framework and system for keeping water in rivers, the river can still lose out.

"In Colorado, those rights tend to be fairly junior, so you have irrigation rights that tend to be much more senior so they can take that water even if you have an in-stream flow water right," said Mely Whiting, senior counsel for Trout Unlimited, which advocates for streamwater rights.

In-stream flow rights often are considered to have no economic value, and are among the first to be curtailed in a water shortage, said Riley Snow, a water rights attorney working in Arizona and Utah.

"An in-stream right can only survive if it is not impairing more senior water right users," Snow said in an email. "Such impairments become more likely as water becomes more scarce."

## Sharing Uses

In Colorado—the headwaters of the Colorado River Basin—some groups have found that the best way to ensure streams remain wet amid water shortages is by finding more ways to share water between different uses, said Andy Schultheiss, executive director of the Colorado Water Trust.

The trust is a nonprofit dedicated to keeping Colorado's streams flowing by acquiring senior water rights to run the water in rivers using the state's unique legal framework for in-stream flow rights. The group helps to "develop smooth water markets that can produce water savings that remains in streams, as well as supporting agricultural production," Schultheiss said.

In the meantime, the trust is advocating for strategically releasing water into streams from reservoirs when streams are running dangerously low in drought, he said.

But often, the biggest tool conservationists have to keep water in rivers is the Endangered Species Act. Water users usually go out of their way to avoid legal entanglements involving it, Schultheiss said.

Even so, conflict remains a possibility.

When a listed species is found in a river that's drying up, the federal government steps in and mandates that water remain in the river, "and that provokes a legal conflict over water," Szeptycki said.

And so litigation over in-stream water rights looms.

"If the drought continues for the long-term, I think what we are going to see is increased competition for a finite resource and thus potential litigation over the legitimacy of some of those in-stream flow rights," Breedlove said.










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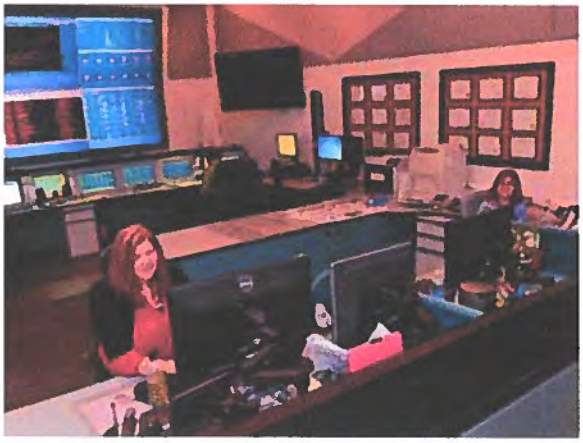
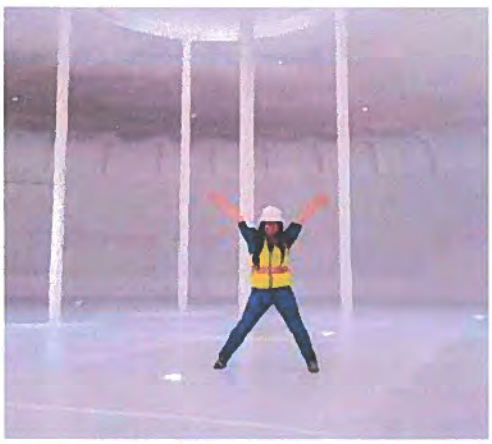
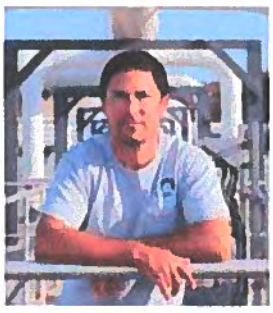













CALIFORNIA DEPARTMENT OF
WATER RESOURCES

# Algal Bloom Increases to Warning Level at Pyramid Lake

Published: Aug 18, 2021

Boating is a common recreational activity at Pyramid Lake in Los Angeles County, California. The reservoir is formed by Pyramid Dam on Piru Creek, near Castaic, California. DWR/2019

**SACRAMENTO, Calif.** – The Department of Water Resources (DWR) is urging the public to avoid contact with water at Pyramid Lake in Los Angeles County until further notice due to blue-green algae (cyanobacteria).

Boating is allowed, but swimming and other water-contact recreation and sporting activities are not considered safe due to potential adverse health effects. All swim beaches are closed. For more information on warning level advisory, go to Harmful Algal Bloom website under Advisory Signs.

Advisories are based on the potential health risks from algae. Exposure to toxic blue-green algae, also known as cyanobacteria, can cause eye irritation, allergic skin rash, mouth ulcers, vomiting, diarrhea, and cold- and flu-like symptoms. Pets can be especially susceptible because they tend to drink while in the water and lick their fur afterwards. Keep pets away from the water.

Bloom conditions can change rapidly, and wind and waves may move or concentrate the bloom into different regions of the reservoir. The algal bloom can accumulate into mats, scum, or form foam at the surface and along the shoreline, and range in color from blue, green, white, or brown.

State guidelines on cyanobacteria and harmful algal blooms recommend the following precautions be taken in waters impacted by blue-green algae:

- Do not let pets and livestock drink the water, swim through algal blooms, scum, or mats, or lick their fur after going in the water. Rinse pets in clean water to remove algae from fur.
- Avoid wading, swimming, or jet or water skiing in water containing algae blooms, scum, or mats.
- Do not drink, cook, or wash dishes with untreated surface water from these areas under any circumstances. Common water purification techniques such as camping filters, tablets, and boiling do not remove toxins.
- Do not eat shellfish from this water. For fish caught here, throw away guts and clean fillets with tap water or bottled water before cooking.
- Get medical treatment immediately if you think that you, a family member, friend, pet, or livestock might have been poisoned by blue-green algae toxins. Be sure to alert medical professionals to the possible contact with blue-green algae. Also, make sure to contact the local county public health department.

For more information, visit:

- California Department of Public Health
- State Water Resources Control Board
- CA Office of Environmental Health Hazard Assessment
- US Environmental Protection Agency: CyanoHAB website
- Centers for Disease Control and Prevention

Los Angeles Times

August 17, 2021

# A Colorado River first: Water shortage declared

## Low levels trigger cuts that will start with farmers in central Arizona

LIGHTNING strikes over Lake Mead in late June. Water levels at the largest reservoir on the Colorado River have fallen to record lows amid droughts and heat waves. The river serves 40 million people in the West. (Allen J. Schaben Los Angeles Times)

By Suman Naishadham

WASHINGTON — U.S. officials on Monday declared the first water shortage from a river that serves 40 million people in the West, triggering cuts to some Arizona farmers next year amid a gripping drought.

Water levels at the largest reservoir on the Colorado River — Lake Mead — have fallen to record lows. Along its perimeter, a white “bathtub ring” of minerals outlines where the high water line once stood, underscoring the acute water challenges for a region facing a growing

population and a drought that is being worsened by hotter, drier weather brought on by climate change.

States, cities, farmers and others have diversified their water sources over the years, helping soften the blow of the upcoming cuts. Federal officials said Monday's declaration makes clear that conditions have intensified faster than scientists predicted in 2019, when some states in the Colorado River basin agreed to give up shares of water to maintain levels at Lake Mead.

"The announcement today is a recognition that the hydrology that was planned for years ago — but we hoped we would never see — is here," said Bureau of Reclamation Commissioner Camille Touton.

Lake Mead was formed by building Hoover Dam in the 1930s. It is one of several man-made reservoirs that store water from the Colorado River, which supplies household water, irrigation for farms and hydropower to Arizona, California, Colorado, Nevada, New Mexico, Utah, Wyoming and parts of Mexico.

But water levels at Lake Mead and Lake Powell, the river's two largest reservoirs, have been falling for years and faster than experts predicted. Scorching temperatures and less melting snow in the spring have reduced the amount of water flowing from the Rocky Mountains, where the river originates before it snakes 1,450 miles southwest and into the Gulf of California.

"We're at a moment where we're reckoning with how we continue to flourish with less water, and it's very painful," said Sarah Porter, director of the Kyl Center for Water Policy at Arizona State University.

How is the river water shared?

Water stored in Lake Mead and Lake Powell is divvied up through legal agreements among the seven Colorado River basin states, the federal government, Mexico and others. The agreements determine how much water each gets, when cuts are triggered and the order in which the parties have to sacrifice some of their supply.

Under a 2019 drought contingency plan, Arizona, Nevada, California and Mexico agreed to give up shares of their water to maintain water levels at Lake Mead. The voluntary measures weren't enough to prevent the shortage declaration.

Who does Lake Mead serve?

Lake Mead supplies water to millions of people in Arizona, California, Nevada and Mexico.

Cuts for 2022 are triggered when predicted water levels fall below a certain threshold — 1,075 feet above sea level, or 40% capacity. Hydrologists predict that by January, the reservoir will drop to 1,066 feet.

Further rounds of cuts are triggered when projected levels sink to 1,050, 1,045 and 1,025 feet.

Eventually, some city and industrial water users could be affected.

Lake Powell's levels also are falling, threatening the roughly 5 billion kilowatt hours of electricity generated each year at the Glen Canyon Dam.

Colorado, New Mexico, Utah and Wyoming get water from tributaries and other reservoirs that feed into Lake Powell. Water from three reservoirs in those states has been drained to maintain water levels at Lake Powell and protect the electric grid powered by the Glen Canyon Dam.

Which states will be affected by cuts?

In the U.S., Arizona will be hardest-hit and lose 18% of its share from the river next year, or 512,000 acre-feet of water. That's around 8% of the state's total water use . An acre-foot is enough water to supply one to two households a year.

Nevada will lose about 7% of its allocation, or 21,000 acre-feet of water. But it will not feel the shortage mainly because of conservation efforts.

California is spared from immediate cuts because it has more senior water rights than Arizona and Nevada.

Mexico will see a reduction of roughly 5%, or 80,000 acre-feet.

Who in those states will see their water supply cut?

Farmers in central Arizona, who are among the state's largest producers of livestock, dairy, alfalfa, wheat and barley, will bear the brunt of the cuts. Their allocation comes from water deemed "extra" by the agency that supplies water to much of the region, making them the first to lose it during a shortage.

As a result, the farmers will probably need to fallow land — as many already have in recent years because of persisting drought — and rely even more on groundwater, switch to water-efficient crops and find other ways to use less water.

Water suppliers have planned for the shortage declaration by diversifying and conserving their water supply, such as by storing water in underground basins. Still, water cuts make it harder to plan for the future.

The Central Arizona Project, which supplies water to Arizona's major cities, will no longer bank river water or replenish some groundwater systems next year because of the cuts.

"It's a historic moment where drought and climate change are at our door," said Chuck Cullom of the Central Arizona Project.

Cities such as Las Vegas, Phoenix and Tucson, and Native American tribes are shielded from the first round of cuts.

Can the decline of Lake Mead be reversed?

Water levels at the reservoir have been falling since 1999 due to the dry spell enveloping the West and increased water demand. With weather patterns expected to worsen, experts say the reservoir may never be full again.

Though Lake Mead and Lake Powell could theoretically be refilled, planning for a hotter, drier future with less river water would be more prudent, said Porter of Arizona State University.

Naishadham writes for the Associated Press.

August 13, 2021

Local News  California Coast News

# How Dry Are Our Lakes As Drought Continues On Central and South Coasts?

By Caroline Feraday

## The Central and South Coasts are once again experiencing a drought. We take a look at how it's affecting one part of our region's water supply.

Jordan Markley is loading his boat behind his truck at Lake Piru in Ventura County. He's been bass fishing and says he's never seen the water level at the lake looking so low.

"Lake's a lot smaller. In a day when we have 20 boats, so there's a lot less of an area to fish for the same number of boats," he says.

His brother Trevor has a jet ski, and he says he would normally like to wake-board but feels like it's too shallow right now.

"It's low and there's a bunch of sticks sticking out, so it's not the safest to wake-board on right now," says Trevor.

Lake Piru is not just a recreational area – the water serves Ventura County – and Lake Piru's Chief Park Ranger Clayton Strahan says that levels are down to about 20% of the reservoir's full capacity.

"We've got 80% of storage in our reservoir available," he said. "We are around 75ft vertical feet down of storage."

Most of Santa Barbara County and San Luis Obispo County are classified as in 'Extreme Drought', with much of Ventura County classified as 'Exceptional Drought'.

Ventura County experienced the driest June in 127 years, and the seventh driest year to date in the same time period. At Lake Piru, they've had just 21.9% of the normal amount of rainfall this year to date.

Strahan says that although there's cause for concern, water supply is not yet a problem.

"Water levels are lower than we would like. Most reservoirs in California at this time are experiencing lower than normal lake levels," explains Strahan. "Lake Piru fluctuates drastically by design, we store rain water and then release out at planned or pre-determined times to recharge the natural aquafers and groundwater in Ventura County."

"It's hard to say Lake Piru's lake level is a reflection of the drought," he says. "It *is* but it's also a reflection of our normal operation. There's years even in normal weather years, that Lake Piru's water level could be low like now," says Strahan.

He says that we aren't looking at a similar situation to other parts of the state, where images of dried up lakes have made headlines.

"We are not there in Ventura County. That doesn't mean we're not in a position where we don't need to be mindful and cautious that we conserve water, but we're not there yet."

The Fillmore Gazette
Newspaper of Record for the City of Fillmore

## Piru Canyon & Lake Piru Today

What do we know of Piru Canyon and Lake Piru? Check the Piru Lake website for photos of water skiing, fishing, camping and more at Lake Piru Recreation Area. But what of its history?

The dam and lake sit within the Los Padres National Forest in the Topatopa Mountains of Ventura County. The dam, Santa Felicia Dam, on Piru Creek has been owned and operated by the United Water Conservation District since it was constructed in 1955. But what came before?

The canyon where the dam and lake are located was primarily connected in the early history of the 20thCentury with Juan Fustero and his family. He was descended from the Shoshones and by extension to the Hopi and Aztec people. His people migrated seasonally and often connected with the coastal Chumash and tended to adopt their customs. This is how the family came to Piru Canyon. The name Piru is a shortened form of the original Pi'idhuku, the name of a reed used to make baskets.

Juan and his family lived far up the canyon in Temescal Canyon. He had come by his last name during a court legal action. When the presiding judge asked for his last name he replied that he had no last name. The judge then asked what his family did for a living. They had been makers of the wood framework for saddles or "saddle trees" called fustos in Spanish. So the judge gave him the last name of Fustero "he who makes saddle trees."

In 1880, an early elementary school was built in the canyon about where the dam is today. Juan's five daughters and three sons most likely were educated there. Three of the five daughters ultimately died of measles and were buried somewhere on the Fustero Ranch. Juan's father and Juan himself were also buried in the same area of the ranch, an area which is now underwater. We have been told that there is a plaque up canyon honoring their burial place but have no photo of it.

Piru Canyon at one time was destined to be "Another Eden," at least in the mind of David C. Cook who purchased 14,000 acres of the canyon in 1886 from Señora Del Valle, of Rancho Camulos. Cook, a devout Christian, had made a fortune publishing religious tracts in Elgin, Illinois. His health was failing and he had determined to come west to a milder climate. His second "Garden of Eden" would include 400 acres of oranges, 300 of apricots, 200 of English Walnuts, as well as figs, grapes, chestnuts, almonds, pomegranates, persimmons and olive trees. When the Southern Pacific railroad tracks were laid through the valley in 1887 Cook built his own depot. Once he was well established, his wife and two sons were brought to Piru. He built the Piru City Hotel, known later as the Round Rock hotel from the huge round rock located in the front yard, and the Piru Mansion In 1888.With his plantings producing well, he platted out the city of Piru and donated land for the building of a Methodist Episcopal Church. Cook saw to it that eight miles or roads and 12 miles of irrigation ditches were built, intending to turn the canyon into a self-sufficient farm. As his health improved he began to make trips back to Illinois. An astute businessman, he watched the development of the local oil industry. On his next trip to Illinois in 1899, with his health returned, he made arrangements to sell his property for oil

development to the Piru Oil and Land Company. He had made a profit of $433,000 on a 13 year land investment.

Cook moved back to Illinois after selling his property in Piru, dying in 1927. His mansion remains, having been restored many years ago after a disastrous fire, and is today in use as a wedding venue. The Round Rock Hotel is still there but no longer receives guests. All that remains of “Another Eden” are a few olive trees on the way to the dam.

Santa Felicia Dam was constructed in 1955 in Piru Canyon and has become a popular recreational location drawing people from our local valley as well as surrounding counties.

Today, because of the drought, the lake is as low as it has been in decades. The 3” of rain we received locally in 2020-21 was not enough to keep the lake filled. It was built to hold winter rainfall from the surrounding mountains and then release the water in summer to refill naturally occurring underground basins beneath the Santa Clara River. Local farmers and local cities retrieve the water with deep water wells to supply the people in town and farmers’ orchards and row crops. You may not see the water in the river unless it has been raining, but it is there, underground.

Many local residents remember the extremely wet year of 2005. Piru Lake was filled to the brim and spilling over the spillway. The effects on the residents of Piru, Fillmore, and Bardsdale were dramatic. Water filled the Santa Clara River from bank to bank, surrounded the equestrian center and threatened to wash away the south approach of the Bardsdale Bridge. Land was washed away on the south and north side of the river greatly impacting agricultural operations.

Rain years begin each year on October 1 and end on September 30. This doesn’t mean that rain will show up on October 1 but we hope that this year will provide the rain we need. In the meantime we use our water carefully and look forward with hope for a wet winter.

Juan Fustero Saddletree Maker in 1921.

Temescal School in 1900.


The Piru Mansion was built by David C. Cook in 1888, he also built the Piru City Hotel, later known as the Round Rock Hotel. He also purchased 14,000 acres of the Piru Canyon from Señora Del Valle, of Rancho Camulos.

Piru Mansion as it looks today

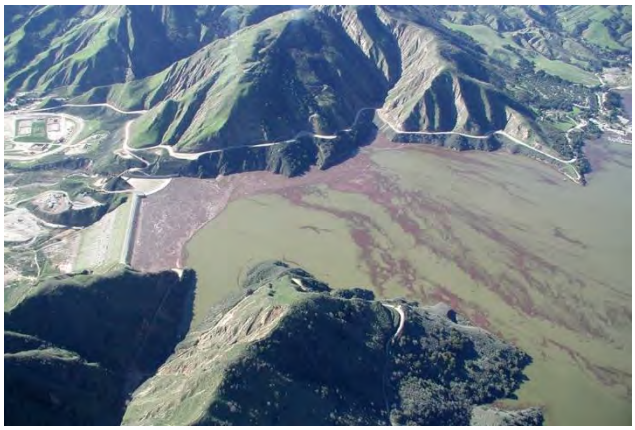
The Round Rock Hotel in 2021.


Sign at vista point, circa 1955

Piru Creek looking upstream before the dam

The dam, Santa Felicia Dam, on Piru Creek has been owned and operated by the United Water Conservation District since it was constructed in 1955, pictured above is that Reservoir area.

View of the construction back in 1956



Lake Piru spilling debris in 2005.

Lake Piru recreation area newly opened in 1956.

Lake Piru filled to the brim in 2005.

VCReporter
NEWS CULTURE ARTS & OPINION

# EYE ON THE ENVIRONMENT | Why not dynamite? Dam project illustrates value of watershed

Aug 11, 2021 |

Pictured: The mouth of the Ventura River where it meets the Pacific Ocean.

by David Goldstein, Ventura County Public Works Agency, IWMD

No matter where you live in Ventura County, recent progress on removal of the Matilija Dam may be inspiring to you because it reveals the relationships inside our local watersheds.

A watershed is the area draining rain and runoff to a single water body. Ventura County watersheds include Calleguas Creek, which drains Thousand Oaks, Simi Valley, Moorpark, Camarillo and the Oxnard Plain, meeting the ocean at Mugu Lagoon; the Santa Clara River, starting in Los Angeles County, draining the Sespe Wilderness and running through Piru, Fillmore and Santa Paula and flowing to the Pacific between Ventura and Oxnard; and the Ventura River, from the Los Padres National Forest, flowing over the sediment-clogged Matilija Dam, down the valley and into the ocean near the Ventura County Fairgrounds.

Public agencies, nonprofit organizations, farmers, other businesses, and community members coordinate in each watershed to resolve issues such as competition for water, reduction of pollution, protection from flooding and environmental conservation. Balancing these issues requires cooperation, and most solutions require funding.

Funding needs in the Ventura River watershed have included millions of dollars for removal of the Matilija Dam, which reduces the health of the Ventura River by restricting flow, limits the replenishment of beaches by holding back sediment, and excludes fish from access to 17 miles and 491 acres of potential headwaters habitat.

Tearing down the dam will be expensive because many steps must be taken carefully. Simple application of dynamite, or a green light for the military to use the dam for target practice, could reduce the dam to rubble in an hour, but communities downstream would probably not appreciate the resulting deluge of mud and rubble.

Millions of tons of sediment have built up over the years, pressing against the dam, an aging structure subject to decay and risk of failure. In the future, if sediment can resume its historic path down to the ocean, it will contribute to more resilient beaches. However, in the short term, unless properly managed, sediment could roll down the river in great, grey, gooey globs, impacting infrastructure and changing the elevation of the Ventura River.

With dam removal, the Santa Ana bridge is one place where sediment would have accumulated, causing a backup of floodwaters during large storms. Recent progress averts this problem. Using a $13 million grant from the California Department of Fish and Wildlife, the Ventura County Public Works Agency will soon finish overseeing construction of a replacement bridge, with 50% longer, stronger spans capable of withstanding anticipated flow of sediment from upstream. (The project also includes improved pedestrian and bicycle ways).

Six additional downstream restoration and infrastructure improvements, as well as many smaller projects, will still be needed. The website of the Matilija Coalition (matilija-coalition.org), a nonprofit organization, and the project website (matilijadam.org), explain these additional projects. Among these, a recent $740,000 grant from the California Coastal Conservancy will fund redesign of the Camino Cielo bridge; a $61,000 FEMA grant will support dam removal engineering; and a $5 million California Wildlife Conservation Board grant will fund the final design for the dam removal and downstream flood protection.

The coalition calls for an “aggressive schedule” and makes optimistic assumptions, predicting the dam could be ready for a flush of sediment by 2028, and dam removal could take place two years later.

While hundreds of people work professionally on expensive watershed infrastructure issues, you can affect the quality of your own watershed with simple, low-cost actions in your daily life. Pick up after your pet; avoid run-off of fertilizer and pesticide from your lawn; don’t wash your car on your driveway; and install landscaping capable of slowing, spreading and sinking water. Watershed pollution is regulated by many entities, but one of the most significant in Ventura County is the Los Angeles Regional Water Quality Control Board, which records measurements,

sets strict standards, and requires remediation for contamination in all Ventura County watersheds. Taking action in your personal life to ensure watersheds shed only water, and not pollution, will not only improve the water quality of our rivers and beaches, you could also help avoid expensive stormwater clean-up mandates.

*David Goldstein, an Environmental Resource Analyst with Ventura County Public Works, may be reached at 805-658-4312 or david.goldstein@ventura.org.*

For Immediate Release

# National Ag, Water Coalition Applauds Senate Passage of Infrastructure Bill

IRVINE, Calif. (August 10, 2021) – With nearly two-thirds of the West experiencing extreme or exceptional drought conditions, and more than 90 active wildfires burning across the U.S., a national coalition representing thousands of Western farmers, ranchers, water providers, businesses and communities underscored the significance of Senate passage of the bipartisan Infrastructure Investment and Jobs Act today and urged the House to mirror the water provisions in its own infrastructure package.

"The Western water provisions included in this package represent a once-in-a-lifetime opportunity to invest in a reliable and sustainable water supply that supports our farms, businesses and rural and urban communities. We applaud the bipartisan approach taken by our Senate champions in moving this solution forward at a time of unprecedented drought in the West," Family Farm Alliance Executive Director Dan Keppen said.

To address critical Western water supply needs, the Infrastructure Investment and Jobs Act includes more than $8 billion to repair aging dams and canals; build new surface and groundwater storage and conveyance facilities; fund water conservation and recycling projects; and enhance watershed management and improve ecosystems.

"With drought conditions continuing to worsen throughout the West, now is the time to invest and make timely improvements in our nation's water management portfolio. The diverse investments in Western water infrastructure and our national forestlands included in this package will assist farmers, ranchers, water providers and rural communities impacted by wildfires, water shortages and a changing hydrology," California Farm Bureau President Jamie Johansson said.

Importantly, the Infrastructure Investment and Jobs Act aligns with the solutions water managers across the West have requested for years and provides a balanced package of tools that local and regional managers can select from to best resolve the water needs and challenges in their local communities.

"We need to make major investments, including in water recycling, ecosystem restoration, desalination and storage projects to modernize and upgrade our water

infrastructure to ensure local, safe, reliable, high quality water now and in future years. This bipartisan legislation accomplishes that," Association of California Water Agencies Executive Director Dave Eggerton said.

Changing Western hydrological conditions and expanding populations require immediate federal investments in repairing aging water infrastructure and developing new sources of water supply. The infrastructure package also represents a historic opportunity to aid in the nation's economic recovery. Both workers and the economy will benefit from the increased demand for equipment and materials these water projects will require from American companies.

"With this vote, the Senate has made a historic investment in water infrastructure, which will pay dividends for our communities, our economy and our environment, both now and into the future. We thank the Senate for its vote and encourage the House to take up and pass this critical legislation," National Water Resources Association Executive Vice President Ian Lyle added.

"We commend the Senate for taking this historic action. Without access to a safe, reliable and affordable water supply, the long-term viability of our family farms and rural communities in the West are in jeopardy, along with more than 80 percent of all U.S. fruit, vegetable and tree nut production. As the current drought has demonstrated, time is running out, which is why we call on the House to act with urgency and pass the Infrastructure Investment and Jobs Act without delay," Western Growers President and CEO Dave Puglia said.

The coalition includes more than 220 organizations from 15 states that collectively represent $120 billion in agricultural production—nearly one-third of all agricultural production in the country—and many of the local and regional public water agencies that supply water to more than 75 million urban, suburban and rural residents.

About Association of California Water Agencies:
The Association of California Water Agencies (ACWA) is a statewide association of public agencies whose more than 450 members are responsible for about 90% of the water delivered in California. For more than a century, our mission has been clear: To provide comprehensive leadership, advocacy and resources for California public water agencies to ensure a high quality and reliable water supply in an environmentally sustainable and fiscally responsible manner.

About California Farm Bureau:
The California Farm Bureau works to protect family farms and ranches on behalf of nearly 32,000 members statewide and as part of a nationwide network of more than 5.5 million Farm Bureau members.

About Family Farm Alliance:

The Family Farm Alliance is a powerful advocate for family farmers, ranchers, irrigation districts, and allied industries in seventeen Western states. The Alliance is focused on one mission - To ensure the availability of reliable, affordable irrigation water supplies to Western farmers and ranchers.

About National Water Resources Association:
National Water Resources Association advocates federal policies, legislation, and regulations promoting protection, management, development, and beneficial use of water resources. The association is dedicated to achieving sustainable water supply for all beneficial uses in an economical and environmentally responsible manner.

About Western Growers:
Founded in 1926, Western Growers represents local and regional family farmers growing fresh produce in Arizona, California, Colorado and New Mexico. Our members and their workers provide over half the nation's fresh fruits, vegetables and tree nuts, including half of America's fresh organic produce.

For further information, contact:
Cory Lunde, Western Growers
(949) 885-2264
clunde@wga.com

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August 10, 2021

Eugene West, Chair
Fox Canyon Groundwater Management Agency
800 South Victoria Avenue
Ventura, CA_93009

*Via email*

**Subject: UWCD Request for Letter of Support, Prop 1 Round 3 Grant Application: Coastal Brackish Groundwater Extraction Wells, Demonstration Pumping, and Monitoring Wells**

Dear Chair West:

United Water Conservation District plans to submit an application for Prop 1 grant funding to continue our work developing the Coastal Brackish Groundwater Extraction and Treatment Project. As you know, this project consists of construction of a large-scale well field and brackish groundwater treatment plant located near Mugu Lagoon at the southern margin of the Oxnard basin. Pumping from the Oxnard and Mugu aquifers in the project area will remove saline water from these drinking water aquifers, promote offshore groundwater gradients in the southern portion of the Oxnard basin, and treatment of the extracted water will provide a new source of water to help offset existing pumping demands. United is actively working on groundwater model refinements and preparing to run a number of pumping and water distribution scenarios, to be completed this fall. This modeling work is partially funded by a Prop 1 Round 2 Planning Grant.

Some water quality regulators familiar with the project have expressed concern that pumping from the confined Oxnard aquifer near Mugu Lagoon may promote vertical flow from the Semi-perched aquifer down to the Oxnard aquifer. Available data indicates that the water in these two aquifers have distinct heads and water quality, as a regional aquitard commonly overlies the Oxnard aquifer. United is seeking Prop 1 Round 3 funding to construct and operate up to four full-scale production wells to create vertical gradients between the two aquifers to assess if vertical leakage is significant in the project area. Up to 20 new monitoring wells are also proposed in the project area to document if there is downward flow under pumping conditions.

Round 3 funds are reserved for implementation projects, and the proposed production wells will be designed for use as long-term supply wells for the brackish groundwater treatment plant. Extended test pumping of these wells will benefit the basin by drawing salty groundwater back towards the coast, and removing salt from drinking water aquifers. United also hopes to investigate the treatability of the extracted groundwater using a pilot-scale reverse osmosis treatment train to treat some portion of the pumped water. Treated water could be used to reduce inland pumping in the basin by meeting some of the water demand on the Navy base.

Minimum awards are $500,000 unless a variance is granted for a lower amount, and this grant program requires matching funds of 50%. We have not yet finalized or costed out our proposal but United intends to fund our portion of the work through and our existing CIP for the project.

This application for funding, and the entire project, would significantly benefit from FCGMA support. We look forward to continued work and coordination with FCGMA as we work to develop this water supply project and others. We are respectfully requesting a letter of recommendation for submittal with our concept proposal due September 7.

If you or your staff have any questions or require additional information, please do not hesitate to contact me at 805-525-4431.

Sincerely,

Dan Detmer, PG, CHG
Supervising Hydrogeologist

cc: UWCD Board of Directors

VENTURA COUNTY STAR | vcstar.com

# Houweling's Tomatoes to sell farm, layoff workforce

August 9, 2021

**Brian J. Varela** Ventura County Star USA TODAY NETWORK

A tomato farm outside of Camarillo will begin laying off its staff of nearly 500 employees this week as a result of its pending sale.

Houweling Nurseries Oxnard, Inc. is selling its 5.5 million-square-foot greenhouse facility to Glass House Brands, one of the largest cannabis growers in the state.

Houweling Nurseries Oxnard will vacate the property by Sept. 30 and permanently lay off its 486 employees, according to a letter submitted to the County of Ventura as required by the California Worker Adjustment and Retraining Notification Act.

Linton Clarke, director of operations for Houweling Nurseries Oxnard, Inc., declined to comment on the sale Friday.

Graham Farrar, president and chief cannabis officer of Glass House Brands, said the greenhouse facility will be a cannabis and vegetable farm hybrid. About 40 acres of the farm will be dedicated to cannabis and the remaining 80 acres will grow tomatoes and other vegetables. Farrar refused to discuss the price of the greenhouse facility.

**Glass House Brands will use 40 acres of the 120 acres Houweling Nurseries Oxnard, Inc. greenhouse facility to grow cannabis for recreation, health and wellness purposes.** CONTRIBUTED ART/GLASS HOUSE BRANDS

It will take several years before the farm is operating at full capacity, though not many upgrades are needed to allow the greenhouse facility to grow cannabis, he said. Depending on the demand, the farm may increase the amount of cannabis grown.

Once the facility has fully transitioned to the new owners, it will be the largest cannabis greenhouse in the world, according to Noah Bethke, a Glass House Brands representative.

According to Farrar, Glass House Brands will rehire former Houweling Nurseries Oxnard employees and transition most, if not all, of the workforce into the new business.

“All the people that are working there are going to have a home again,” said Farrar.

The greenhouse facility sits just south of Camarillo in an unincorporated area of Ventura County.

Because of its location, Glass House Brands can take advantage of the recently passed Measure O. The measure amended Ventura County code to allow the cultivation and sale of cannabis in pre-existing structures in unincorporated areas.

Glass House Brands won’t be able to sell cannabis directly to the public on- site, but that won’t limit the economic impact the business will have on the county.

Farrar said only 1% of the cannabis grown in the facility will be consumed in Ventura County. The remaining 99% will be sold throughout the state. Because of the county’s 4% gross receipts tax on cannabis, money from around the state will be pumped into the local economy.

“Somebody in San Francisco is going to pay $100, and $4 of that is going to end up in Ventura County’s coffers,” said Farrar. “It’s a tax for Ventura (County), not on Ventura.”

Houweling Nurseries Oxnard is part of the larger Houweling’s Tomatoes company, but its owner, Casey Houweling, is not involved with the Camarillo farm, according to Farrar.

Once Glass House Brands begins operating the greenhouse facility in the coming months, Houweling will directly oversee the production of the tomatoes and other vegetables, Farrar said.

With 19 states, along with Washington D.C. and Guam, allowing recreational marijuana use and recent conversations about the federal decriminalization of cannabis, Farrar said his company is preparing for a jump in demand for California-grown cannabis once it can be transported over state lines.

“Cannabis comes from California,” Farrar said.

*Brian J. Varela covers Oxnard, Port Hueneme and Camarillo. He can be reached at brian.varela@vcstar.com or 805-477-8014. You can also find him on Twitter @BrianVarela805.*

VENTURA COUNTY STAR | vcstar.com

**ECO-TIP**

# Matilija Dam project illustrates value of watershed

**August 8, 2021**

**By David Goldstein,** Special to Ventura County Star USA TODAY NETWORK

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*David Goldstein, an environmental resource analyst with Ventura County Public Works, may be reached at 805658-4312 or david.goldstein@ventura.org.*

VENTURA COUNTY STAR | vcstar.com

# Big battle looms over California water rights

August 8, 2021

Dan Walters CalMatters Commentary Columnist

California doesn't have enough water to meet all demands even in wet years, and when drought strikes the competition becomes, to put it mildly, intense.

State and federal officials who must ration the restricted supply are beset with pleas from farmers, municipal water systems and advocates for the environment.

However, water managers must also contend with a bewildering array of water rights, some of which date to the 19th century, as well as long-standing contractual obligations and laws, both statutes and judicial decrees, on maintaining flows for spawning salmon and other wildlife.

Those conflicting factors came into play last week when the state Water Resources Control Board voted unanimously to curtail nearly all agricultural water diversions from the Sacramento-San Joaquin Delta watershed, which stretches about 500 miles from near the Oregon border to near the Tehachapi Mountains. The decree will affect farmers, who use most of the water allocated for human use, but not immediately. The season for irrigating crops is nearly over and water managers delivered a fairly substantial share of agricultural water earlier in the year — too much in the eyes of environmental groups.

However, if drought and the board's no-diversion policy continue into 2022, they will almost certainly ignite a high-stakes political and legal conflict over whether the state can essentially usurp historic water rights and dictate how local farm water systems are to be operated.

Valerie Kincaid, a water law attorney who represents the San Joaquin Tributaries Authority, bluntly told the board, "We now have a draft regulation that exceeds water board authority," hinting that a legal battle over water rights is looming.

The state first began regulating water in 1914 and holders of pre-existing water rights, plus landowners adjacent to waterways, have long been presumed to have virtually unfettered rights to draw water without regulation.

However, in more recent years, the legal status of those pre-1914 rights has been questioned. As drought gripped the state during his first stint as governor 40-plus years ago, Jerry Brown appointed a commission to review water rights, saying, "the existing law included impediments to the fullest beneficial use of California's water."

Nothing came of that effort but when another drought hit during Brown's second governorship, his water board appointees attempted to breach senior

water rights by punishing a small water district near Tracy for ignoring a curtailment order.

"We are a test case," the Byron-Bethany district's manager, Rick Gilmore, said at the time. "I think this has become a larger issue. I think the water board wants to use this as a precedent so they can start to gain more control over senior water right users."

The conflict fizzled before it could morph into an all-out legal battle but other senior rights holders did win a legal ruling that the state was issuing its curtailment decrees without due process.

Environmental groups and some agricultural interests that lack water rights, such as the immense Westlands Water District, seem to be spoiling for a water rights battle.

As drought becomes more frequent, California will — or should be — compelled to re-think its entire water system and the status of water rights will be a central and very volatile factor.

Associated Press

# Warming rivers in US West killing fish, imperiling industry

Baby salmon are dying by the thousands in one California river and an entire run of endangered salmon could be wiped out in another

By DAISY NGUYEN Associated Press
July 26, 2021

SAN FRANCISCO -- Baby salmon are dying by the thousands in one California river, and an entire run of endangered salmon could be wiped out in another. Fishermen who make their living off adult salmon, once they enter the Pacific Ocean, are sounding the alarm as blistering heat waves and extended drought in the U.S. West raise water temperatures and imperil fish from Idaho to California.

Hundreds of thousands of young salmon are dying in Northern California's Klamath River as low water levels brought about by drought allow a parasite to thrive, devastating a Native

American tribe whose diet and traditions are tied to the fish. And wildlife officials said the Sacramento River is facing a “near-complete loss” of young Chinook salmon due to abnormally warm water.

A crash in one year’s class of young salmon can have lasting effects on the total population and shorten or stop the fishing season, a growing concern as climate change continues to make the West hotter and drier. That could be devastating to the commercial salmon fishing industry, which in California alone is worth $1.4 billion.

The plummeting catch already has led to skyrocketing retail prices for salmon, hurting customers who say they can no longer afford the $35 per pound of fish, said Mike Hudson, who has spent the last 25 years catching and selling salmon at farmers markets in Berkeley.

Hudson said he has considered retiring and selling his 40-foot (12-meter) boat because “it’s going to get worse from here.”

Winter-run Chinook salmon are born in the Sacramento River, traverse hundreds of miles to the Pacific, where they normally spend three years before returning to their birthplace to mate and lay their eggs between April and August. Unlike the fall-run Chinook that survives almost entirely due to hatchery breeding programs, the winter run is still largely reared in the wild.

Federal fisheries officials predicted in May that more than 80% of baby salmon could die because of warmer water in the Sacramento River. Now, state wildlife officials say that number could be higher amid a rapidly depleting pool of cool water in Lake Shasta. California's largest reservoir is filled to only about 35% capacity, federal water managers said this week.

“The pain we’re going to feel is a few years from now, when there will be no naturally spawned salmon out in the ocean,” said John McManus, executive director of the Golden State Salmon Association, which represents the fishing industry.

When Lake Shasta was formed in the 1940s, it blocked access to the cool mountain streams where fish traditionally spawned. To ensure their survival, the U.S. government is required to maintain river temperatures below 56 degrees Fahrenheit (13 Celsius) in spawning habitat because salmon eggs generally can't withstand anything warmer.

The warm water is starting to affect older fish, too. Scientists have seen some adult fish dying before they can lay their eggs.

“An extreme set of cascading climate events is pushing us into this crisis situation,” said Jordan Traverso, a spokeswoman for the California Department of Wildlife and Fish.

The West has been grappling with a historic drought and recent heat waves worsened by climate change, stressing waterways and reservoirs that sustain millions of people and wildlife.

As a result, the state has been trucking millions of salmon raised at hatcheries to the ocean each year, bypassing the perilous downstream journey. State and federal hatcheries take other

extraordinary measures to preserve the decimated salmon stocks, such as maintaining a genetic bank to prevent inbreeding at hatcheries and releasing them at critical life stages, when they can recognize and return to the water where they were born.

Fishermen and environmental groups blame water agencies for diverting too much water too soon to farms, which could lead to severe salmon die-off and drive the species closer to extinction.

“We know that climate change is going to make years like this more common, and what the agencies should be doing is managing for the worst-case scenario,” said Sam Mace, a director of Save Our Wild Salmon, a coalition working to restore wild salmon and steelhead in the Pacific Northwest.

“We need some real changes in how rivers are managed if they're going to survive,” she added.

On the Klamath River near the Oregon state line, California wildlife officials decided not to release more than 1 million young Chinook salmon into the wild and instead drove them to hatcheries that could host them until river conditions improve.

Much is riding on this class of salmon because it could be the first to return to the river if plans to remove four of six dams on the Klamath and restore fish access to the upper river go according to plan.

Across the West, officials are struggling with the similar concerns over fish populations.

In Idaho, officials recognized that endangered sockeye salmon wouldn't make their upstream migration through hundreds of miles of warm water to their spawning habitat, so they flooded the Snake River with cool water, then trapped and trucked the fish to hatcheries.

And environmentalists went to court this month in Portland, Oregon, to try to force dam operators on the Snake and Columbia rivers to release more water at dams blocking migrating salmon, arguing that the effects of climate change and a recent heat wave were further threatening fish already on the verge of extinction.

Low water levels are also affecting recreational fishing. Officials in Wyoming, Colorado, Montana and California are asking anglers to fish during the coolest parts of the day to minimize the impact on fish stressed from low-oxygen levels in warm water.

Scientists say the salmon population in California historically has rebounded after a drought because they have evolved to tolerate the Mediterranean-like climate and benefited from rainy, wet years. But an extended drought could lead to extinction of certain runs of salmon.

“We're at the point where I’m not sure drought is appropriate term to describe what's happening,” said Andrew Rypel, a fish ecologist at the University of California, Davis. He said the West is transitioning to an increasingly water-scarce environment.

Hudson, the fisherman, said he used to spend days at sea when the salmon season was longer and could catch 100 fish per day.

This year, he said he was lucky to catch 80 to sell at the market.

“Retiring would be the smart thing to do, but I can’t bring myself to do it because these fish have been so good to us for all these years,” Hudson said. “I can’t just walk away from it.”

Los Angeles Times

July 23, 2021

# Klamath farmers grow fish to quell a water war

## Some hope to head off violence by repopulating two native species that are part of a decades-long conflict

THOUSANDS of suckerfish are raised at a complex called Gone Fishing, which has been so successful that the U.S. Fish and Wildlife Service partnered with the owners in 2015 after an earlier pilot program. (Photographs by Robert Gauthier Los Angeles Times) MIKE McKOEN, a third-generation farmer in Klamath Falls, Ore., sifts the soil in one of his mint fields, fallowed because of rationed water supplies. His only irrigated crop is onions. ()

By Anita Chabria and Hailey Branson-Potts reporting from tulelake, calif.

It's a strange place to find fish, deep in the high desert, where drought-baked earth butts against scrubby mountains.

But water spews from the hot springs on Ron Barnes' land near the California-Oregon border, pure and perfect for rearing c'waam and koptu, two kinds of endangered suckerfish sacred to Native American tribes.

Barnes, who holds an advanced degree in aquaculture from UC Davis, has dug dozens of ponds on his property and filled them with thousands of young suckerfish. He hopes raising and releasing them into the wild will end the region's epic water wars — or at least get federal regulators out of the mix before his neighbors descend into violence.

"We have to take a pragmatic view of this thing," said Barnes, standing near his black-bottomed lagoons under an intense morning sun. "The single most effective way to get the government off our backs is to restore the fish population."

The suckerfish, which are on the endangered species list, are at the heart of a rancorous water controversy. They typically spawn in nearby Upper Klamath Lake, an agricultural reservoir that is growing increasingly dry and toxic. To ward off their extinction, federal regulators have cut off every drop that normally flows from the lake to the Klamath Reclamation Project, a federally built web of irrigation canals that once held the promise of almost limitless water for nearby farms.

Growers and landowners in the region are divided between those who are furious but want a peaceable path forward, like Barnes, and those who are threatening to take water by force.

Extremism — from white nationalism to anti-government militancy to secessionism — has long had a foothold here, and some are worried that, with no compromises in sight, their neighbors will push the situation to an armed confrontation with government authorities.

“We’re doing our damnedest to keep cooler heads here, to let cooler heads prevail,” said Scott Seus, a family farmer who relies on water from the lake. “There’s a sense of desperation right now, and not many people who want to listen.”

Federal scientists and wildlife officials have asserted that maintaining a healthy lake is critical for preventing extinction of the suckerfish, as the U.S. Endangered Species Act requires them to do.

But families who have homesteaded here for generations say their problems stem not from the degraded lake or climate change — which many of them dismiss — but from government ineptitude. They say federal regulators keep doing the same things year after year, benefiting neither fish nor farmers.

“I just wish we could look at it and say, ‘We’ve been doing this and we’re not getting any success, can we try it a little different?’ ” said Paul Crawford, a local grower.

After farmers were told this year that they wouldn’t receive any water from the lake, a small contingent of landowners formed an alliance with People’s Rights, a group backed by militant anti-government activist Ammon Bundy.

That contingent has set up a red-and-white-striped circus tent on private property next to the federal irrigation gates in Klamath Falls, Ore., and is threatening to take over the plumbing works, releasing water in a symbolic act that has the potential to turn into an armed conflict.

There is a feeling inside the tent, and in the fields, that nobody at the federal level is listening to the concerns of farmers as their lives and legacies deteriorate.

“I lost my next generation on my ranch,” said farmer Tracey Liskey, whose only son left the farm after the last water shut-off. “They took the water away, and he said, ‘Dad, I’ve got to go find a job I can depend on.’ ”

His son moved to Boise and became a diesel mechanic.

Liskey, a friend of Barnes who has excavated many of the ponds on his property, said he agrees with the people in the tent but thinks they have gone too far toward the “radical right.”

“When you start bringing Bundy in and that kind of stuff, you’ve lost what you’re protesting, because he isn’t us,” Liskey said. “We don’t want outsiders trying to come in and run their politics on our issues.”

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Barnes’ and Liskey’s rearing ponds, part of a complex called Gone Fishing, where Barnes raised tropical aquarium fish until that market crashed in 2008, have been so successful that the U.S. Fish and Wildlife Service partnered with them in 2015 after an earlier pilot program. It has plans

to expand the operation with the hopes of eventually releasing 60,000 c'waam and koptu into the lake each year at an age when they are old enough to survive the difficult conditions.

"I really don't care about the sucker[fish] myself, but it has control of my water," Liskey said. Replenishing their numbers is "the only ray of hope," he said.

Under the Trump administration, farm advocates made headway in revising federal policies, but they have little confidence that President Biden — who has pledged stricter enforcement of environmental regulation — will come to their aid. Supporters of Biden say the seriousness of drought presents few pathways for easy fixes.

"The reality is, throughout the West we have a climate crisis, and there is not enough water to go around, and business as usual will not work," Sally Jewell, U.S. secretary of the Interior under Barack Obama from 2013 to 2017, told The Times.

The Klamath Tribes , who also have fish hatcheries of their own, say the c'waam and koptu are indicator species that show the entire Klamath Basin is in ecological jeopardy. Simply adding stock to Upper Klamath Lake, they say, doesn't fix larger problems such as pollution runoff from cattle grazing above the lake, or less water coming in from snowmelt that no longer flows reliably from the nearby mountains.

But Jewell understands that it is difficult for farmers to hear that the old ways of doing business may not work in the future, especially when the government hasn't made an alternative clear.

"It's hard to let go of the 'from' if you don't know what the 'to' is," she said.

She said she was concerned about involvement in the Klamath water crisis by the Bundy family, who, she said, "are people that are exploiting grievance" and "ramping up extremism."

Bundy, who has said he supports the Klamath Basin farmers , has been involved in two armed standoffs over land rights issues with the federal government — both under Jewell's tenure — one of which ended with a fellow militant being killed by authorities near the Malheur National Wildlife Refuge in Oregon.

Inside the tent, Bundy followers regularly preach of government overreach and corruption, depicting regulators and environmentalists as enemies who have stolen water that rightfully belongs to farmers.

Though the senior water rights in the lake are held by the Klamath Tribes, who consider the c'waam sacred, farmers have junior rights that they believe are being violated — though courts have not agreed.

A similar militant protest took place at the Klamath headgates during a 2001 drought , after federal officials cut off water. Several times that summer, protesters forced open gates that had prevented supplies from flowing from Upper Klamath Lake into irrigation canals.

Farmer Dan Nielsen, who pitched the circus tent this spring, set up camp near the same spot back then, with supporters who included Liskey. The camp drew hundreds of people, while federal law enforcement officers stood guard at the headgates.

Tim Evinger, the newly elected sheriff of Klamath County at the time, was suddenly thrust into the national spotlight as tensions between local protesters and federal agents mounted . He said the situation was “like navigating a minefield.”

“My constituents, in many cases, thought that the government was overreaching, and they felt like they were being wronged,” he told The Times.

Evinger said he faced enormous pressure from federal agencies to arrest the protesters for trespassing and vandalism. He declined. Like many in Klamath Falls, he viewed the protest as a 1st Amendment right, as long as there was no violence.

The protests then, as today, drew the attention of the far right. According to the Southern Poverty Law Center, militia members decrying the “U.S. Gestapo” in emails volunteered to “fire the first shot at the feds.”

But Evinger said locals did a good job in preventing their cause from being hijacked by outsiders — something easier to do before social media.

“There were a few radical folks and hotheads that would show up and take the bullhorn or mic occasionally,” Evinger said. “And you just didn’t know what that was going to create.”

He said he would urge caution to the protesters today to not have their issue taken over.

This time, though, there are fewer farmers and more anti-government outsiders present.

“I’m not a believer that everything the federal government does is bad. They have a role. That’s why I stressed the separation of power,” Evinger said.

After the terrorist attacks on Sept. 11 of that year, the protesters in Klamath Falls decided to pack up and leave.

The standoff helped push hard discussions around the Klamath Basin, which ultimately led to what many hoped was a historic, albeit complicated, compromise that involved years of negotiations and dozens of participants. Hammered out over countless meetings, it ultimately fell apart when Congress failed to fund it in 2015, largely because the local congressman backed out of supporting it at the last moment.

Goodwill evaporated. Litigation resumed. Many now wonder if any compromise is possible.

“The agreement really called on people’s better angels, and the dispute that is trying to be exploited right now calls on our dark sides,” said Jewell, who helped forge the later part of the Klamath agreement. She said she believes a compromise can be found, but it would require agricultural interests to acknowledge that the abundance of the past is gone.

“It’s a different time, and so I think many people who are inclined to protest are protesting something that is so changed fundamentally from what it was,” she said.

Mike McKoen, a third-generation farmer who is advocating for a compromise, said he fears a future in which the water remains cut off.

“When people start looking down the barrel of foreclosures, which is going to happen, when their livelihoods are drying up and going away, what choices do they have?” he said.

All around Barnes’ unlikely oasis, fields once lush with alfalfa, onions and mint are dusty and fallow. Irrigation canals are filled with weeds, except in places where ice-blue well water provides a shrinking lifeline for a lucky few.

Some farmers are so desperate that they are using tractor engines running 24 hours a day on diesel to pump that water uphill through jury-rigged pipes that groups of farmers have laid themselves, forming collectives of ingenuity and need. After the last shut-off, California funded the drilling of wells along the county line, but that groundwater can’t sustain agriculture indefinitely.

On a recent day, unexpected wind threatened to kill the onion sprouts in one of the only fields McKoen has been able to irrigate. He needs the crop to survive, since he has young twins to support and has already lost multiple fields of mint.

When the gusts blew up from the north, billowing dry dirt into clouds that battered the inch-tall stalks, it seemed as if the stress might be McKoen’s undoing. He gunned his truck, bouncing it over the rutted lane that led to his sprinklers, where he flipped on a pump. The water lines came to life, spraying into the airborne dirt. McKoen did not know if it would be enough. The worry, he said, felt like it could kill him.

“They think that we are a bunch of rich farmers that don’t care about the environment, that don’t care about the tribes, that don’t care about the fish,” he said.

“But am I the guy that’s going to lose it? My generation is going to waste what those before me nearly killed themselves to build? That’s not a good feeling.”

Chabria reported from Tulelake, Branson-Potts from Los Angeles.

Santa Ynez Valley Star

# Central Coast Water Authority files 'unprecedented' lawsuit against county

July 20, 2021

**Agency finds fault with supervisors' water management amendment**

By Jade Martinez-Pogue, Noozhawk Staff Writer

The Central Coast Water Authority and its eight member cities and water districts have filed an unprecedented lawsuit against Santa Barbara County, accusing the Board of Supervisors of infringing on their rights and responsibilities.

"Our position in the lawsuit is that the county does not have the legal authority or right to impose any conditions on the management of state water supplies," said Ray Stokes, executive director of CCWA. "We believe that we have a strong, solid case that says they don't have the right to do that."

The lawsuit, filed in Santa Barbara County Superior Court, comes after the Board of Supervisors approved a water management amendment — with restrictions — to the State Water Project in April.

The amendment allows local water districts to buy and sell water supplies outside of the county, but the board's adopted conditions require that local water sales first be offered to other CCWA member agencies and that all requests for water sales and transfers outside of the county be presented to the Board of Supervisors for approval after determining there are no in-county transfer or sale options.

The CCWA manages, operates and finances the portion of state water in Santa Barbara County, and its member entities include the cities of Santa Barbara, Santa Maria, Buellton and Guadalupe, and local water districts in Montecito, Carpinteria, Goleta and Santa Ynez.

"On a big picture, what it comes down to is that we have CCWA and the member agencies, and we're the experts in our own water supply," said Eric Friedman, a CCWA board member. "It's a very complex system, and it's a very technical system, and each agency manages their own water supply based on all the information they have.

“What the county is basically saying is that it knows better than the individual agencies and their staff.”

Stokes said that the additional conditions adopted by the board could “really hamper” the CCWA’s ability to make water transactions. Out of the 27 state water contract members that adopted the amendment, Santa Barbara County is the only one that is going to be operating under a different set of rules, Stokes said.

“All the Board of Supervisors was supposed to do was adopt the amendment, and instead they adopted it with conditions,” Friedman said. “CCWA is saying that you can’t do that; the county has no authority to impose any conditions on the amendment.”

There are nine plaintiffs in the lawsuit — the CCWA and all of its member entities — which is a “very unique and unprecedented case,” Stokes said.

While the county does not comment on pending or new litigation, chief assistant and soon-to-be county counsel Rachel Van Mullem said the county believes that the Flood Control District’s actions were “both lawful and in the long term of all Santa Barbara County residents.”

“Although CCWA’s ‘media release’ asserts that the Flood Control District has ‘no financial responsibility’ for State Water Project water, the water supply contract with the State of California actually still requires that the Santa Barbara County Flood Control and Water Conservation District to levy a tax or assessment if needed to cover any payments outstanding the water supply contract,” said Van Mullem. “We take that financial obligation seriously.”

When approving the amendment with the adopted conditions in April, First District Supervisor Das Williams said that the county, as the contract holder, is a stop-gap to “prevent shortsighted financial decisions that could make us more at risk as we go into the next drought.”

“I understand that it would be financially in one agency’s interest to maximize the amount of money they can get for transferring water out of county,” he said. “I dispute that it is in the interest of everybody in the county for any agency to maximize the amount of water that they can get by transferring water out of county unless that transfer out of county facilitates a greater amount of water, or at least the same amount of water, in replacement.”

Stokes said that the CCWA agrees that the county does have that financial responsibility, but the CCWA has offered multiple times to relieve the county of that obligation and the county has refused.

“Their financial obligation does not give them the right to manage the supplies. The only obligation they have is to ensure that they are protecting the financial integrity in the county — and that does not mean they can impose restrictions on how we manage our water,” Stokes said, adding that there has never been a payment default in the 30-year history of the CCWA.

Stokes said that he anticipates the lawsuit making it to court and believes that the court will side with the CCWA.

VENTURA COUNTY STAR | vcstar.com

July 18, 2021

# Naval Base Ventura County welcomes new leader

Staff reports

Naval Base Ventura County welcomed a new commanding officer this month, part of a regular leadership change that typically happens every three years or so.

The July 8 ceremony at the Point Mugu location marked the change of command along with retirement honors for the outgoing leader, Capt. Jeff Chism, who had overseen the local facility since June 2018.

Capt. Robert "Barr" Kimnach III assumed command of the base, which includes the Point Mugu, Port Hueneme and San Nicolas Island locations.

Kimnach, a native of New England, earned his commission in 1998 through the University of North Carolina Reserve Officer Training Corps Program, according to a release from base officials. In 1999, he was designated a naval aviator and has since accumulated more than 2800 hours of operational flying in both SH-60B and MH-60R Seahawk helicopters. Before coming to the Ventura County post, he was assigned to the U.S. 3rd Fleet.

"Jeff has set up the NBVC team for success and I hope to retain all the knowledge he has shared," Kinmach said in a statement. He also noted his predecessor's legacy made it easy to engage with the local community.

Naval Base Ventura County's outgoing leader, Capt. Jeff Chism, left, cuts cake with incoming leader Capt. Robert "Barr" Kimnach III during a change of command ceremony at Point Mugu on July 8, 2021. *CONTRIBUTED PHOTO/NAVAL BASE VENTURA COUNTY*

Chism was honored for 26 years of service. A banner for him tallied 15 moves, six deployments, four kids, three houses and one "fun adventure," officials said. During his tenure in Ventura County, he helped develop a future master base for sophisticated unmanned aircraft systems, oversaw completion of two entry control points at Point Mugu and Port Hueneme, helped federal officials set up a quarantine location during the COVID-19 pandemic and managed disaster response teams for 10 major wildfires. The last effort included successfully evacuating Point Mugu during the Woolsey Fire in 2018.

Chism's family had roots in Southern California that made his final post align with his family's No. 1 choice at the time he took command. He had been stationed at the Ventura County base in the early 2000s and had attended University of Southern California. His family members also had local ties.

"This is an emotional day for me," Chism said at the July 8 ceremony, where he also spoke of service and dedication to duty. "I am so thankful to Naval aviation for making this an amazing journey. Flying jets while serving my country is something truly special."

The Ventura County location, with its open coastal setting, make its "superior" geographical location a key element in the Department of Defense's mission infrastructure, officials said in the release.

Los Angeles Times

# California Senator Alex Padilla talks water projects during visit to Fresno, Valley

*Sen. Alex Padilla, D-California, made his first official visit to the Central Valley with a "listening tour" that included a look at the Dos Palos municipal water treatment plant on July 16, 2021. He gestures as Dos Palos Mayor April Hogue, left, greets state Sen. Anna Caballero. JUAN ESPARZA LOERA jesparza@vidaenelvalle.com*

By Thaddeus Miller
July 16, 2021

In his first official visit to the central San Joaquin Valley, Sen. Alex Padilla pledged Friday to back funding for infrastructure across California as a way to improve the economy.

In Merced County with other area leaders, Padilla said he's supporting legislation that will aid rural residents with upgrades like those needed at the aging Dos Palos Water Treatment Plant, which has failed at least three times in the past decade.

Padilla said as the state comes out of the pandemic, eyes should shift toward equitable progress.

“How are we investing? How are we ensuring our economy is not just rebounding, but rebounding strong and rebounding for everybody?” he said. “A big part of that is investing in our infrastructure. Investing in infrastructure in a way that builds a stronger, more resilient and a more equitable future for all families.”

The conversation comes as Gov. Gavin Newsom has declared a drought emergency in 50 of the state’s 58 counties. Newsom asked residents to voluntarily reduce water use by 15%.

Assemblymember Adam Gray, D-Merced, said Friday residents in the rural parts of the state can be left behind by legislators in urban centers like Sacramento.

“California’s aging infrastructure is in major disrepair. We have under-invested for really a generation,” Gray said. “In the 43 years I’ve been here in California, we’ve increased our water infrastructure by 1%. We’ve more than doubled our population in that time.”

Padilla, appointed to the seat formerly held by Vice President Kamala Harris, said the Senate passed in May the Drinking Water and Wastewater Infrastructure Act of 2021, which provides $35 billion over five years in federal financing and funding to address the nation’s water infrastructure needs.

The improvements need to go beyond water, and include investments to broadband, electrical power, education and other areas, Padilla said.

The senator also on Friday made stops in Fresno and visited the farm of Joe Del Bosque, which straddles Merced and Fresno counties.

The farmer said the drought this year means he had to fallow a 100-acre asparagus field worth “hundreds of thousands of dollars” and he’s looking at how much he’ll have to cut back on melon fields.

“If you look at California, it’s been 50 years since we’ve built new water storage. That’s too long,” he said. “It’s very daunting.”

Padilla said Friday part of his tour of the Valley was to learn the needs of residents and farmers, saying increasing water storage was one of the issues he looked to better understand.

“Part of what we’ve been able to see firsthand is the state of the existing infrastructure and investments that need to be made to recapture capacity through efficiency of the existing infrastructure,” he said.

## Dos Palos Water Treatment Plant

Built in 1969, the Dos Palos plant has not seen any significant upgrades and in recent years has limped by with just enough funding to keep it going, local officials said on Friday.

During the most recent incident in June 2020, city officials said residents had lost access to potable water for the three days when filtration systems became clogged with algae and shut down. During that time, Dos Palos residents were under a state-mandated boil water notice.

Merced County Supervisor Scott Silveira, whose district covers Dos Palos, said improving the plant was a nonpartisan issue, noting the coalition was of mixed party affiliations.

Rep. Jim Costa, D-Fresno, said he teamed with state Sen. Anna M. Caballero, D-Salinas, and Gray to get $11 million to pay for a new plant in the city of 5,300.

He said he hopes to see the plant break ground in a few months. The project would take about 18 months to finish.

“We’re the richest country in the world. To have cities like Dos Palos and others, in which their water system shuts down or they can’t meet state or federal drinking water requirements, is simply unconscionable. Period,” Costa said.

Los Angeles Times

July 15, 2021

# Newsom water tactics raise doubts

Officials support the voluntary approach, but some scientists say it's too little too late.

A TRUCK crosses a bridge at Lake Oroville, which was 33% full on June 30. Drought has hit hard in Northern and Central California. (Brian van der Brug Los Angeles Times)

By Ari Plachta

When Gov. Gavin Newsom asked Californians to voluntarily conserve water last week as he stood in front of the retreating shoreline at Lopez Lake in San Luis Obispo County, some must have had déjà vu.

It was only six years ago when his predecessor Gov. Jerry Brown stood in a field near Lake Tahoe that was bereft of normally plentiful snow and called for water restrictions amid the state's punishing years-long drought.

But by that point, Brown was done asking. In April 2015, he ordered cities and towns across the state to cut water use by 25%, the first mandatory statewide water restrictions in California history that browned lawns and shortened showers to the tune of more than 500 billion gallons saved that year.

As Californians wonder when mandatory water restrictions might be coming, officials and experts including those who played roles in addressing the 2012-2016 drought say the pace and strategy of Newsom's current response sufficiently incorporates insights gained from the past.

The governor's approach, however, has also frustrated some scientists who consider his actions too little too late as record-high temperatures intensify the water shortage, particularly in northern and central parts of the state.

Newsom, who is facing a September recall election, called on Californians on July 8 to voluntarily cut their water use by 15% compared with last year and expanded his regional drought state of emergency to 50 counties, home to roughly 42% of the population.

"We're optimistic that Californians are going to step up as they have in the past," said Natural Resources Agency Secretary Wade Crowfoot. "And if the drought persists and conditions get worse, we'll obviously have to contemplate other actions including mandatory restrictions."

Conditions already appear to be outpacing the previous drought: Scant winter rainfall led to minimal snowpack on the Sierra Nevada mountains, and spring heat evaporated much of the runoff that was expected to flow into reservoirs.

Felicia Marcus, who worked closely with Brown as chair of the state water board during California's last record-breaking drought, called Newsom's voluntary conservation a prudent start.

"You can always do more — like to save fish — or you could have done more earlier in the year. There are always coulda-shoulda-wouldas, but this is a welcome step," said Marcus, who is now a visiting fellow at Stanford University.

Marcus says she expects state officials to make a decision on mandatory restrictions by monitoring available water supplies and scouring data to see whether communities are heeding Newsom's voluntary call to conserve.

"We need to accelerate everything that we thought we had to do even five years ago in the face of climate change, because it's clearly coming harder and faster than we were expecting," Marcus said. "I think it takes a certain ... planning for the worst and not just hoping for the best."

Peter Gleick, a longtime water scientist and founder of the Pacific Institute in Oakland, is more critical of Newsom's decision making.

He said research shows a 15% voluntary cut in water use would be relatively painless for both the agricultural sector and Californians in urban areas.

"It should have been done two months ago or three months ago. It's not as though we haven't seen this drought coming," Gleick said. "I'm sorry it's not more than 15%. I'm also sorry it's not

mandatory, because we are in a worse position now than we were in the third and fourth year of the previous severe drought."

The question of why Newsom hasn't declared a statewide drought emergency can be answered in large part by looking to the past at the blowback Brown received from local water districts tasked with implementing his mandatory restrictions.

"When that 25% reduction came into place there was a lot of criticism from local agencies who said, 'We don't need to reduce, we've got extra supplies' and 'You're punishing us for the work we've already done to prepare,' " said Rachel Ehlers, water policy analyst at the Legislative Analyst's Office.

Elhers, Crowfoot and other longtime observers of water politics say that smaller water agencies that depend on a single well or groundwater source often look more kindly on state intervention during difficult drought times.

But large urban districts such as the Metropolitan Water District of Southern California that heavily invested in reservoirs and recycling plants have made clear that they — and their budgets, which are dependent on supplying water to customers — preferred to be left alone.

Those stances, along with 2018 legislation that required local water districts to do more intensive water management planning, led the state to be more attuned to utilities and their unique circumstances, Ehlers said.

Southern California, for example, has been spared from Newsom's emergency order. Conditions haven't been as dry, and utility executives say water supply storage has granted them more flexibility.

"We spent a lot of effort learning from the last drought, and put in this framework where water utilities had to develop their own plans for reacting to shortages," said Brad Coffey, group manager at the Metropolitan Water District of Southern California. "So let's think about the wisdom of allowing those plans to come into effect, rather than stepping in and kind of nullifying those plans by deciding to do something else on a statewide scale."

Brown's pioneering mandatory restrictions are far more likely to be remembered by Californians for yellowed grass than water agency politics.

With the help of local lawn-removal incentives and social pressure, his ambitious 25% reduction goal nearly became a reality. Between June 2015 and April 2016, residential water use in California's urban areas fell 24.5% according to UC Davis researchers.

Some conservation efforts, such as new drought-tolerant lawns, led to permanent change. Urban water use levels are currently at 15% lower per capita than those in 2013.

That means statewide conservation is crucial when considering the very real possibility of future dry years, said State Water Resources Control Board Deputy Director Erik Ekdahl.

“You’re going to have to have a really wet year next year to get us back to average, and there’s no guarantee of that. What happens if it’s dry or even below normal? God forbid another critically dry year,” Ekdahl said. “Then we’re in a really bad situation everywhere.”

Policy and political considerations aside, Newsom is simply operating on a tighter drought timeline this time, said state Sen. John Laird (D-Santa Cruz), who served as Brown’s Secretary of Natural Resources.

“The year after year of dryness came upon Gavin Newsom a little quicker,” said the Democrat, who represents Monterey and Santa Cruz counties.

“He’s following a similar path [as Brown]. But regardless of these two situations, if you’re a governor you’re limited to what’s in your toolbox. The big thing you have is the bully pulpit to tell Californians that they have to save.”

Los Angeles Times

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# A California water mystery

Water rights records in this state are buried, so it's nearly impossible to know who can legally use water at any time or place

THE OWENS RIVER flows through wetlands and pastures near Mammoth Lakes. (Brian van der Brug Los Angeles Times)

By Michael Kiparsky

A s we careen deeper into drought, California will face increasing impacts to urban and agricultural economies, rivers and forests, and wildlife.

In response, government agencies will need to determine how to allocate water among competing needs. Water users will scramble to buy and sell water — if they can — or reduce their use. But the current lack of information hobbles the ability to make difficult decisions about water management. For California to cope with persistent shortages, water rights data need to be accessible to decision makers and the public.

Most residents assume that because their home water use is metered we would understand water use in the state as a whole, and that water management is a routine matter. This could hardly be further from the truth.

In contrast to household taps, diversions from rivers and streams typically are unmeasured or unreported . Further, most essential documents are inaccessible, so we simply don't know who can legally use water at a given time and place. Here in the land of Google, basic water information remains trapped, obscuring water management.

It seems absurd: A fundamental resource underpinning our economic, social and environmental well-being is managed with 19th century information technology. The relevant public records are effectively buried.

More than 10 million pages of paper files sit in storage rooms, collecting dust. Legal records for older rights — some dating from the 19th century but still binding today — are scattered in 58 county courthouses and other repositories.

The situation is the result of underfunded agencies, haphazard attention to information technology, and years of political inertia. Given the lack of data, it is immensely difficult to resolve conflicts or manage shortages.

Water rights help determine who may use water, when, where and for what purpose. The right to divert and use water is mediated by the state's responsibility to protect public health and the environment. In the absence of accessible legal information, neither regulators nor water users can have clarity about their options.

Under California's legal system, drought management should be an organized and rational process of determining the water needed for fish and wildlife, allocating the remaining available water to the most senior users, telling lower-priority diverters to stop withdrawals, and facilitating water trading and alternative water sources. Instead, because of the lack of information, California is unable to align available supply systemically. Basically, it's chaos . It makes no sense economically or environmentally.

A first step to efficient water management is building a system that makes this basic information available to all. New research from UC Berkeley School of Law shows it can be done.

Over the last two years, in partnership with the Los Angeles Department of Water and Power, we digitized more than 130,000 pages of documents and built an indexed, searchable database that makes legal documents from the Mono Basin water region accessible.

Now, anyone can view the complete basis for water rights that previously would have taken weeks or months for attorneys to unearth, and see how water rights in the basin relate to one another. Shockingly, this has never been done before in California.

For a small investment, the content and functions of our database could be expanded statewide. Other states have long made this kind of information available and routinely manage their water using relevant data. California can do this too. The cost would be trivial compared with water infrastructure expenditures and a tiny share of the state's current budget surplus.

During California's last drought, the Legislature established requirements for integration of existing data and allowed state agencies to require water use reporting . These are laudable goals, but without a place to put reporting data, there is no reasonable way for the state to request it from water users.

A modernized water rights information system can receive reporting data and is a necessary complement to such mandates. Without it, they offer little value.

The current state budget proposal contains $3 billion for drought-related investments. A small fraction of that can transform water information. That funding needs to be supported and protected in the final bill.

There is no excuse for flying blind when it comes to water. Modernizing water rights information is a crucial step toward enabling California to manage resources and plan for a drought-ridden future.

Michael Kiparsky is the director of the Wheeler Water Institute in the Center for Law, Energy and the Environment at UC Berkeley School of Law.

# Two decrees affect California water wars

**July 6, 2021**

 by Dan Walters


California Capitol. Photo by Anne Wernikoff for CalMatters

**In summary**

As California water interests joust over management of the state's supply, two decrees from Washington change the game.

The powerful interests who vie for shares of the state's ever-changing water supply — dubbed "water buffaloes" — are adept at fending off political and legal assaults by their rivals and the outcomes of their clashes are often stalemates.

That's why it was surprising in June to see two game-changing decrees out of Washington, one from the new Biden administration and another from the Supreme Court, affecting two of the state's most prominent water interests, Southern California's Imperial Irrigation District and the San Joaquin Valley's Westlands Water District.

Neither attracted much media attention, but both could have long-term affects on how huge portions of the state's water supply are managed.

The Supreme Court unanimously refused to hear an appeal by Imperial Valley farmer Mike Abatti, who contended that Colorado River water flowing into the valley is owned by its farmers, not the Imperial Irrigation District (IID).



The importance of the case is that the IID controls three-quarters of California's allocation of Colorado River water — more than three million acre-feet a year — and Abatti's loss may allow the district to expand sales of water outside its boundaries.

Imperial's diversions have been underway for more than a century and until recently the IID's governing board was controlled by the large-scale farmers it served. In recent years, however, the elected five-member board diversified both ethnically and ideologically and today no farmer holds a seat and three of the five members are Latino.

Those changes brought changes of policy that no longer favored local agriculture and touched off Abatti's legal challenges on water ownership that ultimately failed in the Supreme Court.

The court's refusal to hear the case "brings closure to this dispute and clarifies certain misunderstandings about IID's water rights," IID board President James Hanks said.

The farmers served by the even larger, Fresno-based Westlands Water District also took a hit last month when the Interior Department very quietly rescinded a five-month-old memorandum that would have, in essence, cancelled the district's large share of a $400 million debt owed by federal water contractors for environmental restoration.

The memorandum, essentially declaring that the restoration work was complete, had been issued on January 19, one day before Joe Biden's inauguration, while Donald Trump appointee David Bernardt was still interior secretary. It was widely criticized because Bernhardt had been a long-time legal advisor to Westlands.

Once Bernhardt was gone and succeeded by Biden appointee Debra Haaland, California environmental groups and Indian tribes pressed the new administration to countermand not only the January 19 restoration memo but other pro-Westlands actions, including a permanent water supply contract.

On June 11, the memo was rescinded in a new memo to the regional Bureau of Reclamation office, citing the earlier order's failure to collaborate with the federal Fish and Wildlife Service.

The recission leaves Westlands and its farmer members still on the hook for its share of the $400 million and also indicates that the Biden administration may also cancel the water supply

contract and other Trump-era actions that backed farmers in their perpetual battles with environmental groups over water allocations.

The twin decrees arrive from Washington as California experiences another of its periodic droughts, pushing water management back to the top of the political agenda.

Westlands and other agricultural water agencies south of the Sacramento-San Joaquin Delta have seen their allocations slashed to zero, farmers' ability to tap underground aquifers is now subject to regulation and water policy reformers are challenging the hierarchy of water rights, such as the one that gives the Imperial Irrigation District so much power over Colorado River diversions.